U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

August 26, 2016

JOHN GREENEWALD
[redacted]

FOIPA Request No.: 1352849-000
Subject: GROVE PRESS

Dear Mr. Greenewald:

Records responsive to your request were previously processed under the provisions of the Freedom of Information Act. Enclosed is one CD containing 124 pages of previously processed documents and a copy of the Explanation of Exemptions. This release is being provided to you at no charge.

Documents or information referred to other Government agencies were not included in this release.

Please be advised that additional records potentially responsive to your subject may exist. If this release of previously processed material does not satisfy your information needs for the requested subject, you may request an additional search for records. Submit your request by mail or fax to – Work Process Unit, 170 Marcel Drive, Winchester, VA 22602, fax number (540) 868-4997. Please cite the FOIPA Request Number in your correspondence.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S. C. § 552(c) (2006 & Supp. IV (2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request. Your patience is appreciated.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: https://foiaonline.regulations.gov/foia/action/public/home. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing ogis@nara.gov. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@ic.fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so that it may be easily identified.

Sincerely,

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

(b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;

(b)(2) related solely to the internal personnel rules and practices of an agency;

(b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;

(b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;

(b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

(d)(5) information compiled in reasonable anticipation of a civil action proceeding;

(j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;

(k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;

(k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;

(k)(4) required by statute to be maintained and used solely as statistical records;

(k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service he release of which would compromise the testing or examination process;

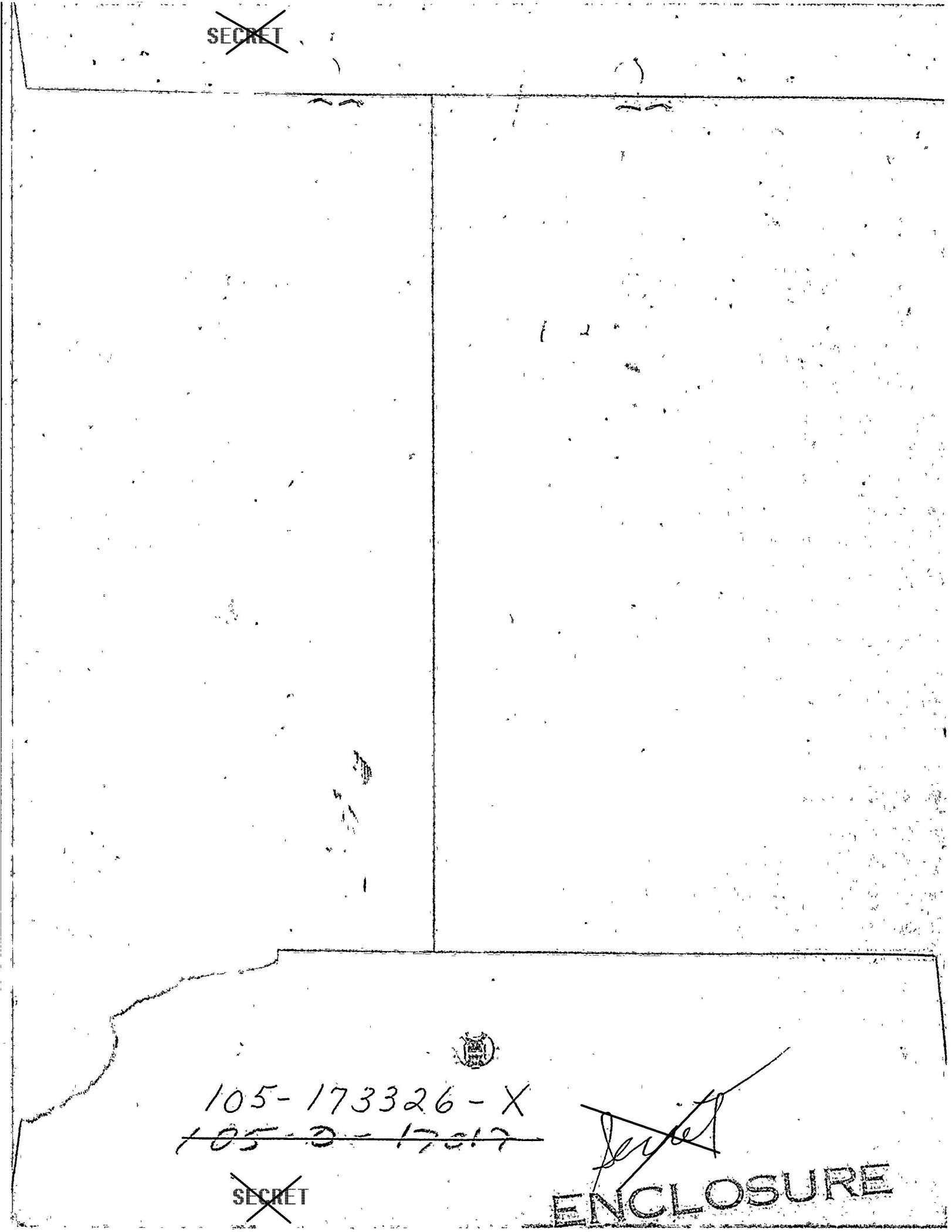
(k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1352849-0

Total Deleted Page(s) = 12
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Page 5 ~ b1; b3;
Page 6 ~ b1; b3;
Page 7 ~ b1; b3;
Page 9 ~ b1; b3;
Page 11 ~ b1; b3;
Page 12 ~ b1; b3;
Page 29 ~ b1; b3;
Page 31 ~ b1; b3;
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ENCLOSURE

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SAC, New York

10/19/67

Director, FBI

MCT-1 105-

173326-1 - Mr. Mossburg

REC 67

(S) GROVE PRESS INCORPORATED
IS -
RA -

b1
b3 *

b1
b3 *

(S) Contact reliable and established sources only to obtain background data concerning captioned concern and ascertain if there is any indication this organization may be engaged in activities within the Bureau's investigative jurisdiction. Furnish results in letterhead memorandum with the predication for your inquiries.

b1
b3 *

The information received from CIA is classified "Secret." In setting out the CIA data as the predication for your inquiries conceal CIA as the source and paraphrase the information received in an effort to conceal the fact

(S) the information was obtained

In the event your inquiries indicate additional investigation is desired advise Bureau what investigation will be conducted by your office.

Enclosures - 4

EHM:ngp
(4)

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AUTHORITY DERIVED FROM:
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EXEMPTION CODE 25X(1)
DATE 12-20-2011

MAILED 12
OCT 18 1967
COMM-FBI

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

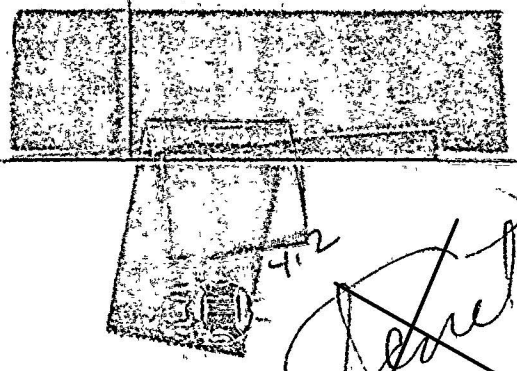
Deleted Copy Sent ROGER WEEKS
by Lette* 50 U.S.C. Section 403-1(i)(1) and 403g
Per FOIA Request

550CT 24 1967

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105- 173326-1X1

ENCLOSURE

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: JAN 2 1968

FROM : SAC, NEW YORK (105-91898) (C)

SUBJECT: GROVE PRESS, INC.
IS
RA

(S)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4-24-81 BY [illegible]

b1
b3 50 U.S.C. Section 403-1(i)(1) and 403g

Re Bureau letter, dated 10/19/67.

Enclosed for the Bureau are five copies of an LHM setting forth information in this case. Also enclosed for the Bureau are three lists of books obtained on November 30, 1967, from the Grove Press, Inc., which indicates the type of literature Grove Press publishes. These were obtained from Grove Press headquarters under pretext of securing a Christmas gift list.

In the attached LHM, NY T-1 is CIA and NY T-2 is [redacted]. Memorandum is being classified "Secret", since information furnished by CIA was so classified.

b7D

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DATE 05-23-2012

State CIA ADA b2
DDI ONI (Cleared) (No further must unless requested)
11/16/68
O-6(D)

ENCLOSURE

105 — 173326 2

REC- 23

17

9 JAN 1968

LST-110

(2) Bureau
1- New York

JJB:cav
(3)

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NAT. INT. SEC.

FEB 9 1968

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

5010-106

Copy (SDM)

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UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
New York, New York

In Reply, Please Refer to File No.

JAN 2 1968

CLASS. & EXT. BY SP3 DB/KJ 4/24/01
REASON - FBI Auto. Decl. Guide 4.2 2
DATE OF REVIEW 1-2-88

Grove Press Incorporated

b1
b3 50 U.S.C. Section 403

(S) NY T-1, another Government Agency which conducts intelligence investigations, furnished information

[redacted]

(S)

NY T-2, who has furnished reliable information in the past, advised that the Grove Press Incorporated, of 80 University Place, New York, New York, was started in January, 1949, as a partnership of John B. Balcom and Robert Phelps. In September, 1951, Barney Rosset purchased the stock interest from Robert Phelps and was elected President. In February, 1962, Barney Rosset acquired Balcom's stock interests. The new Grove Press Incorporated was incorporated in New York on November 9, 1956. NY T-1 advised that Grove Press is the publisher of paperback and cloth-bound books which are distributed to publishers, wholesalers, retail houses, and universities. They operate nation-wide, have thirty employees, and an adequate staff of salesmen. NY T-1 further advised that Grove Press has two subsidiaries, Evergreen Books Limited, chartered in London in 1959, which handles distribution of Grove Press publications in England, and

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GROUP I

Excluded from automatic downgrading and declassification.

Deleted Copy Sent PETER WEISS
by Letter 6/30/75 - COR
Per FOIA Request

105-173362

ENCLOSURE

~~SECRET~~

Grove Press Incorporated

Evergreen Review Incorporated, chartered in New York in 1961 as a distributor for Grove Press. In addition to its building at 80 University Place, Grove Press has a warehouse and shipping department at 315 Hudson Street, New York City, where it occupies 20,000 square feet on the fifth floor of this warehouse. As of December 31, 1966, Grove Press sales amounted to $435,655.00. The worth of the company in January, 1967, was estimated to be in access of one million dollars.

The records of the Credit Bureau of Greater New York contained information regarding a Barney Rosset whose address was given as Jericho Lane, East Hampton, New York, in 1955. His business was at that time, Grove Press, of 795 Broadway, New York City and it was stated he was of Anglo-Saxon decent, approximately thirty-five years of age.

He was divorced [redacted] and also had lived at 57 West 9th Street, New York City. The Credit Bureau file contained a clipping from the Long Island Star Journal of April 25, 1967 stating that Nassau County vice-squad detectives arrested Barney Rosset, editor, Richard Seaver, assistant editor, and George Hanalanpoudis, printer, for the issuance of the magazine, "Evergreen." Warrants had been issued and 20,000 copies of the magazine have been confiscated being considered lewd, obscene, and lacivious. Disposition of this case was not contained in Credit Bureau file.

No information was received concerning Grove Press or Barney Rosset from a check of the New York City Police Department.

The "New York Times" of January 5, 1967 contained an article reporting that Grove Press Incorporated, a publishing concern that has made a successful business, converting what used to be considered far-out literary material into books that are "in" with a growing public, had bought the Mid Century Book Society and the Cinema Sixteen Film Library Incorporated. The article reported that Barney Rosset, President of Grove Press, had declined

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Grove Press Incorporated

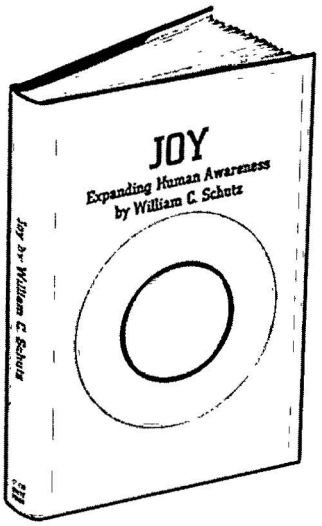
to state the purchasing price, but publishing circles believed Mid Century cost about $100,000.00 and Cinema Sixteen about $50,000.00. The article reported that both concerns have a hold in the university market, to which Grove Press magazines appealed. The article further reported that Grove Press as of then, operated Evergreen Book Club, members of which subscribe to Evergreen Review, a spicy literary and political magazine. This club has fifty thousand members. The article further reported that Grove Press has a subsidiary, Evergreen Theatre Incorporated, which has the object of originating films by contemporary European writers and playwrights. Another operation of Grove Press, as set forth in "New York Times", has been a line of books like, D. H. Lawrence's "Lady Chatterley's Lover", Henry Miller's "Tropic of Cancer", William S. Burrough's "Naked Lunch", Jean Genet's "Our Lady of the Flowers", and the Marquis de Sade's "Justine".

An examination of the bookshelves of Brentano's and Doubleday's Book Store in New York City on November 28, and 29, 1967, disclosed numerous copies of Grove Press publications both in soft cover and cloth-bound volumes, in Black Cat and Black Circle books, in addition to the regular Grove Press editions.

Grove Press

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DATE 12-20-2011 BY 61322 UC LP/PLJ/LCW





JOY
Expanding Human Awareness
By William C. Schutz, Ph. D.

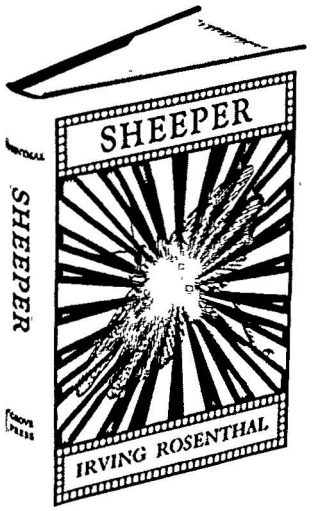
A leading group psychologist describes revolutionary new techniques for preserving one's identity amid the pressures of mass society. He demonstrates how, in special surroundings removed from everyday activities, one can develop a more integrated personality, deeper consciousness, and greater physical and psychic powers. Procedures include group thinking, fantasizing, talking, touching, hugging, and acting out situations.

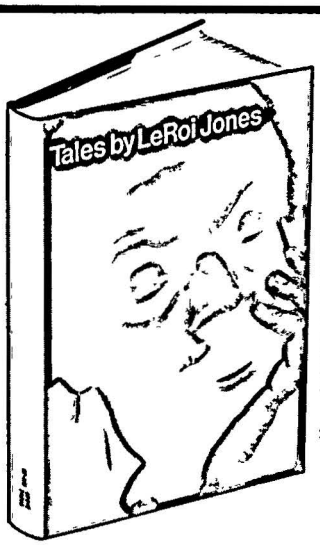
$5.50 GP430 _____ **Order**

SHEEPER
By Irving Rosenthal

The key figures of the literary underground of the late fifties and early sixties—among them Allen Ginsberg, Alex Trocchi, and the writers around them—are the major characters of this brilliant first work of fiction by the former editor of the now fabled Big Table, himself a central figure of the literary movement of the day. Cast in the form of often outrageous but always glittering essays, pastiches, plays, and poems, about drugs, insects, prose style, nationalism, precious stones, and homosexuality, the work introduces a major new talent whose style and method represents a significant departure for new American fiction.

$5.95 GP398 _____ **Order w**





TALES
By LeRoi Jones

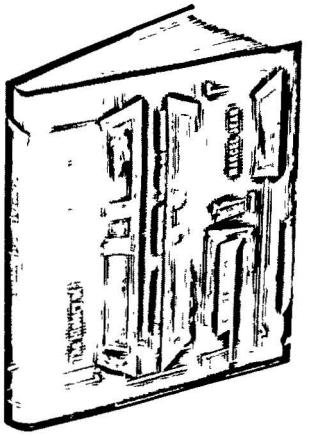
Provocative fiction concerning the racial ferment in contemporary society. The first nine stories deal with the sensibilities of a hip black man in white America; the last seven place the same black man within the context of black America. "Unquestionably a writer possessed of a fierce and blazing talent—one that cuts through the morass of verbal pleasantries that frequently attends even our most outspoken writers."—John Gruen, New York Herald Tribune.

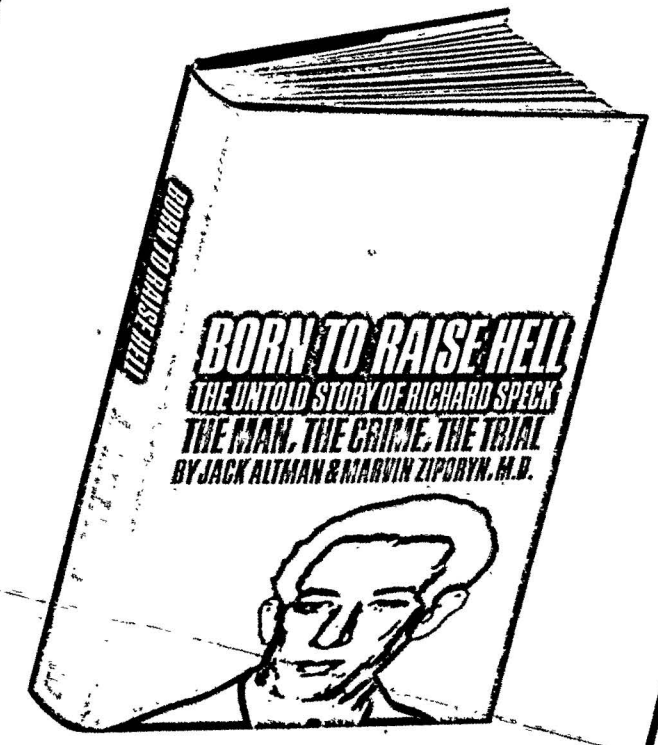
$4.50 GP432 _____ **Order**

THE HISTORY OF SURREALIST PAINTING
By Marcel Jean
Translated by Simon Watson Taylor

The first definitive history of surrealist painting, this magnificently illustrated and authoritative book relates in detail the exciting story of one of the stormiest periods in art, its struggles, its periodicals, its feuds and friendships, its ideas and political adventures. With 386 reproductions—36 in full color—it explores every facet of surrealism—from Picasso's inventions at the start of the century through Chircio and Klee, to Picabia, Duchamp, Max Ernst, Jean Arp, Miró, Dali, Man Ray, and Yves Tanguy.

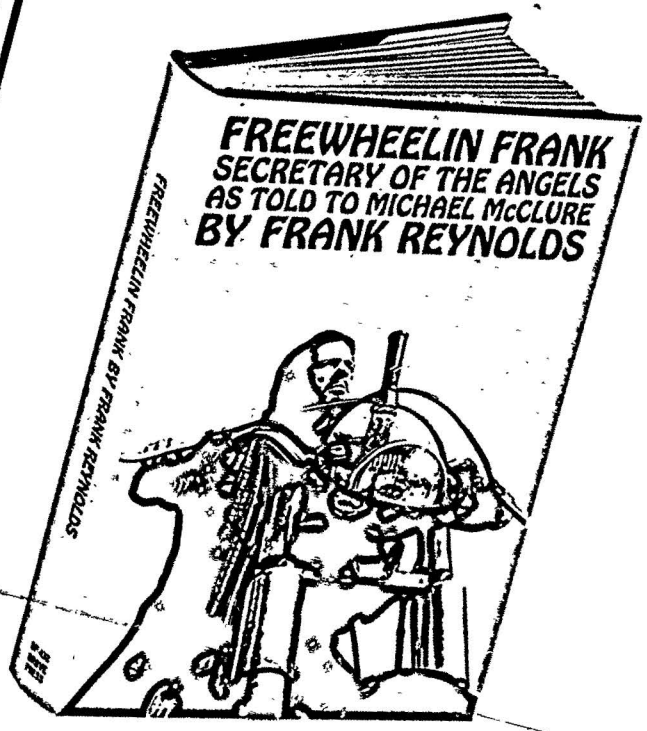
$20.00 GP426 _____ **Order**





BORN TO RAISE HELL
The Untold Story of Richard Speck
By Jack Altman and Marvin Ziporyn, M. D.
Richard Speck, the killer of eight young Chicago nurses, told his prison psychiatrist all he knew about the twisted life that had led to the tragedy. Here is his own story of "the crime of the century." It goes behind the headlines and sensationalism of the crime and the trial to take you into the mind of the murderer and, hopefully, to point the way for society to prevent similar crimes in the future.

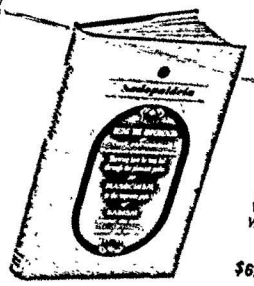
$5.95 GP450 _____ Order w



FREEWHEELIN FRANK
SECRETARY OF THE ANGELS
AS-TOLD TO MICHAEL McCLURE
By Frank Reynolds
A work of rare authenticity, this provides a unique look into the Hell's Angels and their exciting, terrifying, and basically sad way of life. It tells the inside story of the in-fighting between clubs, the emblems they wear, the role of the girls ("old ladies" or "mamas"), their sex orgies and drugs, their hatred for society, the violence that is their credo and, finally, their ultimate isolation.

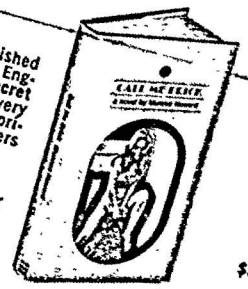
$5.00 GP341 _____ Order

○ BLACK CIRCLE BOOKS ○



SADOPAIDEIA
This anonymous work, secretly published for the Underground of Edwardian England in 1907, may well rival My Secret Life as an important literary discovery drawn from the library of volumes "privately printed for discriminating readers with mature tastes."

$6.00 GP421 _____ Order



CALL-ME-BRICK
By Munroe Howard
A fast-moving contemporary first novel about a ravishing but impish young girl, in many ways far wiser than her years, who is impatient to enjoy adult relationships. Her love for her legal guardian leads her into many highly unusual but hilarious adventures.

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4 x 4
Here in one volume are four works of fiction by four young American writers of outstanding talent. However different in style and content, all four deal bluntly and candidly with sexual adventures and misadventures.

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STRADELLA
By James Sherwood
The story of a passionate, but tortured, love affair between an aging but still attractive actress, and a cynical young man, this is one of the wildest and most grimly humorous novels about Hollywood since Nathanael West's The Day of the Locust.

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$5.00 GP382 ___ Order w

SOME LIMERICKS
By Norman Douglas
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UNDER THE HILL
By Aubrey Beardsley and John Glassco
$3.95 GP407 ___ Order

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★ Available in U.S. & possessions only
● Available in U.S. & possessions, Latin America and Canada only
△ Please inquire about availability outside U.S.

See Evergreen-Black Cat Order Form for new and backlist paperback titles.

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ORDER	NO.	Title	STK. PRICE
w	GP157	EVERGREEN REVIEW, Vol. 1 Rosset and Allen, eds., Includes No. 1, 2, 3, and 4	7.50
WF	GP168	WATT, Beckett	3.50
w	GP179	EVERGREEN REVIEW, Vol. II, Rosset, Ed., Includes Nos. 5, 6, 7, and 8	7.50
△	GP244	NAKED LUNCH, Burroughs	6.00
	GP246	CITY OF NIGHT, Rechy	5.95
w	GP247	EVERGREEN REVIEW, Vol. III Rosset, ed., Includes Nos. 9 and 10	3.50
★	GP248	SEVEN PLAYS BY BERTOLT BRECHT, Eric Bentley, Ed.	8.50
	GP249	OUR LADY OF THE FLOWERS, Genet	6.50
§	GP253	TROPIC OF CANCER, Miller	7.50
w	GP254	SELECTED POEMS OF PABLO NERUDA	5.95
	GP258	SAMUEL BECKETT, Kenner	5.00
§	GP259	TROPIC OF CAPRICORN, Miller	7.50
†	GP260	SEVEN PLAYS OF THE MODERN THEATRE Trade Edition	8.50
†	GT422	Special Paperbound Text Edition (Text edition available in quantity only for school adoption; short discount)	3.95
	GP264	JOU PU TUAN, Li Yü	6.50
w	GP270	THE APOSTATE HERIGER, Shafton	2.95
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	GP289	THE ERASERS, Robbe-Grillet	4.95
§	GP293	BLACK SPRING, Miller	5.00
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†	GP299	THE ELEPHANT, Mrozek	3.95
△	GP301	MY LIFE AND LOVES, Harris	12.50
	GP303	HOW IT IS, Beckett	3.95
	GP304	LAST EXIT TO BROOKLYN, Selby	5.00
	GP306	SELECTED WORKS OF Alfred Jarry	7.95
	GP307	NOVA EXPRESS, Burroughs	5.00
	GP308	THE NEW BRITISH DRAMA, Popkin, ed.	8.50
	GT308	Special Text Edition (Text edition available in quantity only for school adoption; short discount)	4.50
	GP310	NOTES & COUNTER NOTES, Ionesco	5.50
	GP311	EROS DENIED, Young	7.50
	GP312	THE DEPUTY, Hochhuth	5.95
	GP313	THE SEXUALLY RESPONSIVE WOMAN, Kronhausen	5.95
†	GP315	THE LONG VOYAGE, Semprun	4.50
	GP316	A LIFE FULL OF HOLES, Charhadi, Bowles	5.00
	GP321	GAMES PEOPLE PLAY, Berne	5.00
w	GP322	HERE GOES KITTEN, Gover	3.95
△	GP326	THE THIEF'S JOURNAL, Genet	6.00
w	GP327	A CONFEDERATE GENERAL FROM BIG SUR, Brautigan	3.95
	GP328	THE MOTORCYCLE, Pieyre de Mandiargues	3.95
	GP330	THE ADDICT IN THE STREET, Larner & Tefferteller	5.50
	GP331	THE WRETCHED OF THE EARTH, Fanon	5.00
w	GP333	TROPIC OF CANCER (Russian Language Ed.)	7.50
w	GP334	EVERGREEN REVIEW, Vol. V, Rosset, ed. Includes Nos. 16, 17, 18, 19, 20 and 21	7.50
†	GP335	FOUR PLAYS By Friedrich Dürrenmatt	6.00
	GP336	THE RAVISHING OF LOL STEIN, Duras	3.95
	GP337	ANTHOLOGY OF CHINESE LITERATURE, Cyril Birch, ed.	10.00

ORDER	NO.	Title	STK. PRICE
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	GP339	THE TIME OF THE HERO, Vargas Llosa	5.95
	GP340	THE OLYMPIA READER, Girodias, ed.	12.50
†	GP341	THE GIANT DWARFS, Elsner	5.95
w	GP342	STORY OF O, Réage	6.00
†	GP343	ROMULUS (Vidal) and Romulus The Great (Dürrenmatt)	6.00
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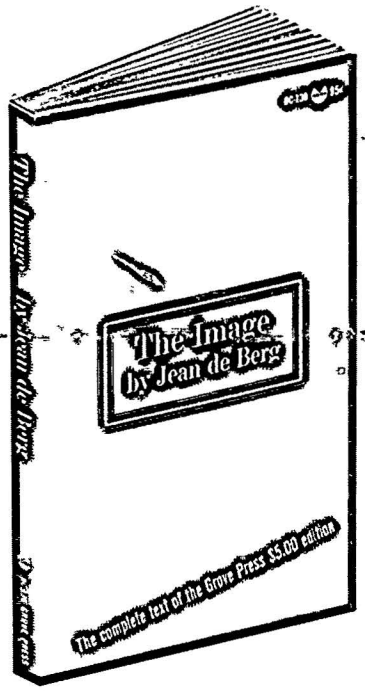
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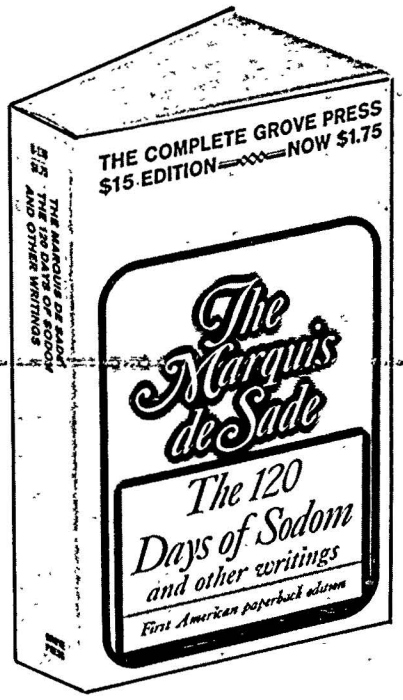


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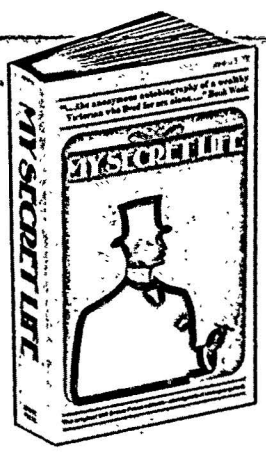
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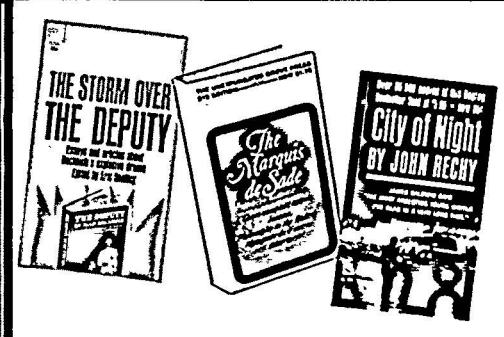
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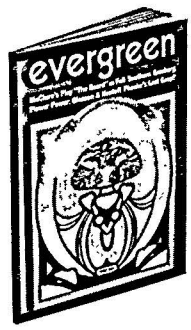
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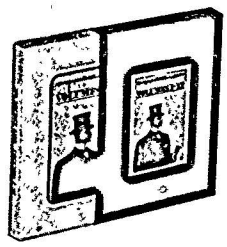
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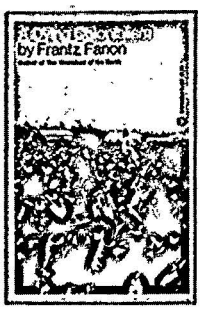
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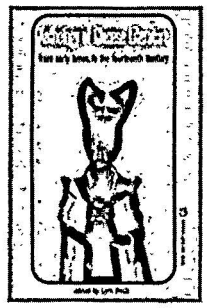
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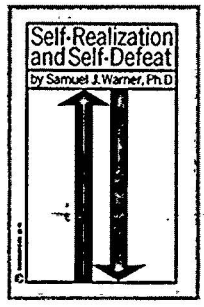
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"The most comprehensive anthology of Chinese literature in English. It is a remarkable Chinese banquet indeed—drinking poems and didactic biographies, cynical love stories and operatic plays, philosophical letters and lyrical religious tracts. It is all a delight."—The New Yorker.

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The path to a creative, productive life is charted here by a practicing psychotherapist. Writing in clear, straightforward language, Dr. Warner shows how a person can confront and grapple with his problems—and actually change old patterns, achieving self-realization and a new freedom.

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Two extraordinary plays, never before published in America, by the man whom Marc Slonim recently described as "the literary hero of French youth." Slonim said: "Vian was dynamic and vulnerable, active and sensitive, imaginative and ironic . . . his vitality always chased away his black thoughts."

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By Calvin C. Hernton

A study of how the racism of sex depraves the human conscience of blacks and whites alike.

"One of the most brutally frank and impressively realistic volumes that has ever been written in its field. It is at once bold and restrained." —*Christian Herald*

BC-113 **95¢**

For Examination Copies write to the Education Department
GROVE PRESS, 80 UNIVERSITY PLACE, NEW YORK, NEW YORK 10003

RACIAL STUDIES

THE UNITED STATES and AFRICA

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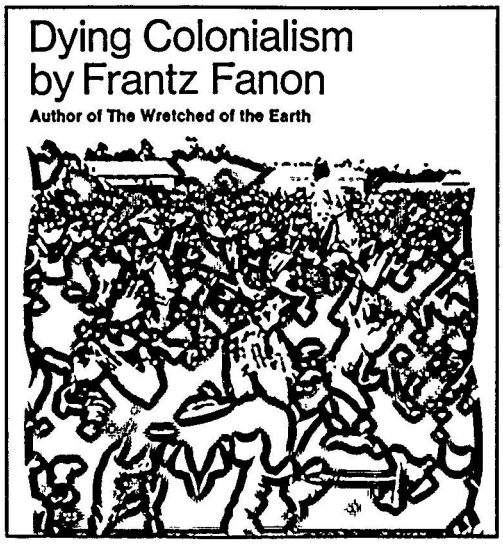
by FRANTZ FANON
AUTHOR OF THE WRETCHED OF THE EARTH

A DYING COLONIALISM

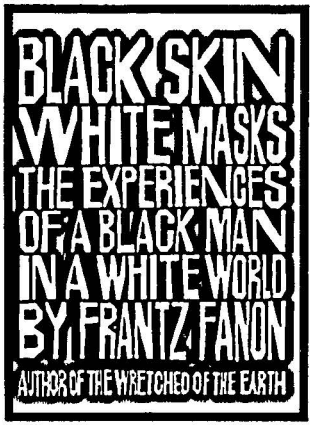
This is the third of Fanon's books published by Grove Press. In it he reveals the various ways in which the people of Algeria, during the revolution, changed their centuries-old patterns of culture. The methods and attitudes described and explained are mirrored today in the acts of anti-colonialist forces throughout the world—particularly in Vietnam.

"It is a clear call for the West to recognize the dignity of the non-Western man." —*African Forum*

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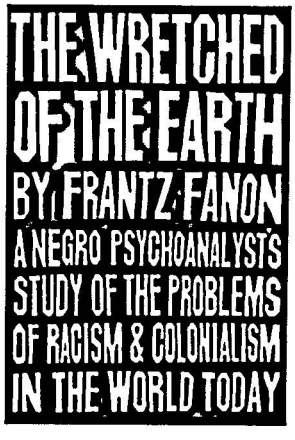
ALSO BY FRANTZ FANON



BLACK SKIN, WHITE MASKS

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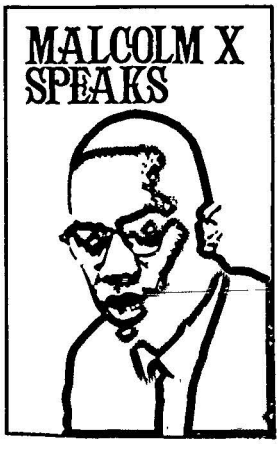
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This work is a manifesto of the emerging nations studied throughout the Third World. An eloquent call for a new humanism obliterating all racial inequality.

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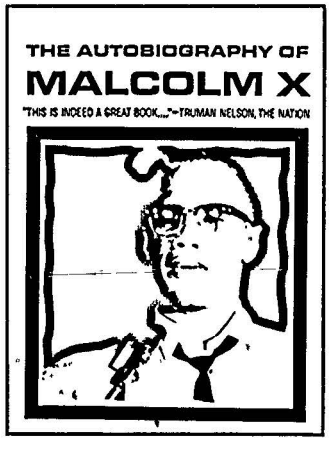
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Contains the major speeches of one of the most important leaders of the Negro struggle for freedom. They mark him as one of the great orators of our time. "Over and over again in simple imagery . . . he drove home the real truth about the Negro's position in America. It may not be pleasant but it must be faced." —I. F. Stone, *The New York Review of Books*

BC-125 95¢



AUTOBIOGRAPHY OF MALCOLM X

"This extraordinary autobiography is a brilliant, painful, important book." —*The New York Times*

"No man has better expressed his people's trapped anguish." —*The New York Review of Books*

B5174 95¢

Printed in U.S.A.

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ENCLOSURE TO BUREAU (3)

NY 105-91898

GROVE PRESS INC.

(S) [redacted] b1 b3 *

Also enclosed for the Bureau are three lists of books published on November 30, 1967, by the Grove Press, Inc., which indicates the type of literature Grove Press teaches.

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TO : Mr. D. J. Brennan, Jr.

DATE: February 1, 1968

FROM : S. J. Papich

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

SUBJECT: GROVE PRESS
INTERNAL SECURITY MATTER

Grove Press Incorporated

On January 31, 1968, Richard Ober, Central Intelligence Agency (CIA), advised that information received by CIA has clearly indicated that the captioned publishing firm, located in New York City, seems to be heavily engaged in publishing material supporting communist and other left wing causes. He wanted to know if the Bureau was investigating the firm. He stated that he would be interested in receiving any results, including identifying and background information on the key officials. He commented that the material being printed by Grove Press is rapidly circulating into many foreign countries.

Ober stated that Grove Press regularly has large advertisements in Ramparts, and it is now prepared to publish the memoirs of Kim Philby and that it publishes a left wing magazine called "Evergreen."

ACTION:

The above information is being directed to the attention of the ~~Internal Security~~ Section.

SJP:clb
(6)

1 - Mr. C. D. Brennan
1 - Mr. G. C. Moore
1 - Mr. Branigan
1 - Liaison
1 - Mr. Papich

Nationalities Intelligence

REC 48

MCT-27 EX-105

105-173326-3

FEB 13 1968

5 - Mr. Ebert

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2/13/68 Papich is getting details of CIA's interest and analysis in this matter for us.

61 FEB 20 1968

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TO : Mr. D. J. Brennan, Jr.

DATE: March 18, 1968

FROM : S. J. Papich

SUBJECT: GROVE PRESS, INCORPORATED
MISCELLANEOUS - INFORMATION CONCERNING
(NATIONALITIES INTELLIGENCE)

[redacted]

G. C. Moore

b6
b7C

Enclosed herewith is a copy of an advertisement which appeared in the publication "New York Review of Books" for March, 1968, describing three books which are being promoted by Grove Press. These books which fall into the black power category are: "The Wretched of the Earth" by Frantz Fanon, "Revolution in the Revolution?" by Regis Debray, and "The Autobiography of Malcolm X."

ACTION:

The above information and enclosure are being directed to the attention of the Nationalities Intelligence Section and to the Racial Intelligence Section.

Enclosure

SJP:clb
(5)

1 - Mr. Cotter (Mossburg)
1 - Mr. G. C. Moore
1 - Liaison
1 - Mr. Papich

[redacted]

Mossburg 1440

REC 3

105-173326-4

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"New York Review of Books"

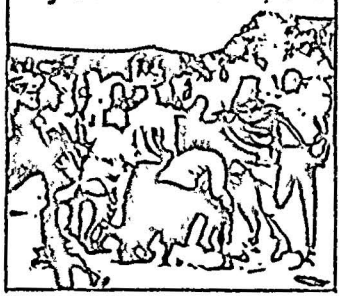
March 14, 1968

page 22

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NOW IN PAPERBACK FROM GROVE PRESS!

THE WRETCHED OF THE EARTH
By FRANTZ FANON

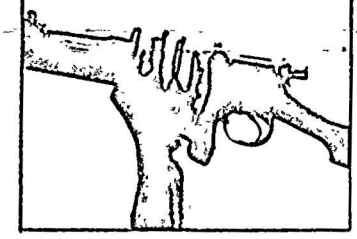


"Have the courage to read this book."— Jean Paul Sartre. This explosive work, by the distinguished French psychiatrist Frantz Fanon, is the famous handbook of the black power movement in the U.S. "It must be read by all who wish to understand what it means to fight for freedom, equality, and dignity." — ALEX QUAISON-SACKEY, former President of the U.N. General Assembly

A Black Cat Paperback. $1.25

Another Grove Press Paperback by Frantz Fanon: **A Dying Colonialism** $1.95

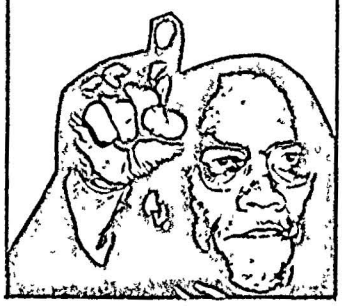
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By REGIS DEBRAY



The book that sent Debray to prison for thirty years. A primer for guerilla warfare comparable in importance to the writings of Mao Tse-tung and "Che" Guevara. "It has already received close attention from Communist militants and will also be read by their opponents (if they are wise) and by anyone else interested in military organization and strategy." —*The New York Times*

A Black Cat Paperback. 95¢

THE AUTOBIOGRAPHY OF
MALCOLM X



"This is indeed a great book . . . Its dead level honesty, its passion, its exalted purpose . . . will make it stand as a monument to the most painful of truths."— TRUMAN NELSON, *The Nation*

A Black Cat Paperback. $1.25

Another Grove Press Paperback by Malcolm X: **Malcolm X Speaks** 95¢

Now at your bookstore, or order direct from publisher. (Please enclose payment with order)

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UNITED STATES GOVERNMENT

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1 - Mr. Cotter
(Mossburg)

TO : Mr. D. J. Brennan, Jr.

DATE: March 4, 1968

1 - Mr. C.D. Brennan
1 - Mr. G.C. Moore
1 - Mr. Branigan
1 - Liaison
1 - Mr. Papich

FROM : S. J. Papich

(S)

SUBJECT: GROVE PRESS INCORPORATED
INTERNAL SECURITY - [redacted]
New York, N.Y.

b1
b3 *

On February 27, 1968, Richard Ober, Central Intelligence Agency (CIA), furnished the following described items (enclosed) to the Liaison Agent:

(1) March, 1968, issue of "Ramparts." (2) [redacted] February, 1968, issue of "Evergreen" (published by Grove Press). (3) Copy of an article concerning Grove Press which appeared in an issue of "The New York Times," date not known.

Ober stated that in the opinion of CIA the captioned firm is publishing articles, books, and material all following a political line which appears to be pro-communist and certainly prejudicial to the national security. CIA strongly believes that an investigation should be conducted in order to obtain a better evaluation of the firm and its officers. The Agency points out that "Evergreen" definitely should be considered as a propaganda outlet for the "New Left."

New York, N.Y.

CIA takes the position that an examination of the contents of "Evergreen" indicates that the publication follows the political lines and themes of "Ramparts," a periodical which is currently under investigation by the Bureau. CIA suggests that there may even be a close working relationship between the two. It has been noted that Grove Press does considerable advertising in various issues of "Ramparts." CIA further emphasizes that Grove Press is publishing Kim Philby's memoirs bearing in mind that Philby's writings undoubtedly are monitored, controlled, and directed by the KGB.

Enclosures - ENCLOSURE BEHIND FILE

REC-71 105-173326-5

105-173326

6 MAR 22 1968

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EX 101

CONTINUED - OVER

Memo Cotter to Sullivan 3/13/68

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Memorandum S. J. Papich to Mr. D. J. Brennan, Jr.
RE: GROVE PRESS INCORPORATED
105-173326

Ober stated that his Agency is officially requesting the Bureau to conduct an investigation of Grove Press in order to determine if the firm or any of its officers are engaged in activities prejudicial to national security. He advised that since material produced by Grove Press is appearing overseas and since some of the contributors reside in or travel in foreign countries, information developed by the Bureau will be useful to CIA.

ACTION:

The above information and enclosures are being directed to the attention of the Nationalities Intelligence Section.

~~SECRET~~

~~SECRET~~

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Memorandum

TO : Mr. W. C. Sullivan

FROM : R. D. Cotter

1 - Mr. DeLoach
1 - Mr. Sullivan
1 - Mr. C.D. Brennan

DATE: March 13, 1968

1 - Liaison (Papich)
1 - Mr. Cotter
1 - Mr. Mossburg

SUBJECT: GROVE PRESS INCORPORATED
MISCELLANEOUS - INFORMATION CONCERNING
(NATIONALITIES INTELLIGENCE)
New York, N.Y

We are recommending no investigation be conducted by FBI of captioned corporation and that liaison so advise the Central Intelligence Agency (CIA).

CIA advised Bureau through liaison it feels captioned corporation is publishing pro-communist material and that it should be considered a propaganda outlet for the "New Left." Because some material published by this concern has appeared overseas, CIA requested we conduct an investigation to determine if the corporation or its officers are engaged in subversive activities.

b6
b7C

(S) [redacted] b1 b3 *

of established sources concerning captioned publication and developed no indication of subversive activity warranting further inquiry. Case closed in January, 1968.

Grove Press (New York City, N.Y) is a million dollar concern publishing paperback and cloth bound books. Barnet Rosset, president of the corporation, was arrested by New York authorities in 1967 for publishing the magazine "Evergreen" on the charge the publication was lewd and obscene. Grove Press has published several books bordering on obscenity such as "Lady Chatterley's Lover" and Henry Miller's "Tropic of Cancer." Barnet Rosset, the corporation's president, admitted

b6
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REC-71 105-17332-6

EX 101

MAR 22 1968

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(7)

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55 MAR 28 1968

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Per FOIA Request
by Cotter 6-22-12
PETER WEISS

Memorandum to Mr. W. C. Sullivan
RE: GROVE PRESS INCORPORATED

in 1956, when filing an application for a passport, having been a Communist Party member during the mid 1940s. Investigation by the U. S. Army determined he was an extreme radical from the late 1930s to the mid 1940s, while in school. Contributors of some articles and authors of some books published by captioned concern have pro-communist background and some of them are subjects of current security investigations by the FBI. We have furnished CIA information concerning captioned publication, its president and some of its literary contributors.

CIA has furnished no evidence indicating that captioned publication is supporting subversive groups or actively cooperating with any subversive elements. An investigation of this firm would be in the nature of a fishing expedition and without any specific basis. We therefore do not feel an investigation is warranted at this time. If information is subsequently received of a subversive nature concerning this firm, we will, of course, consider instituting investigation.

ACTION:

1. It is recommended no investigation be undertaken of captioned firm at this time. Internal Security Section, which handled "new left" matters, concurs in this recommendation.

2. It is recommended CIA be advised through liaison that no investigation is contemplated by the FBI regarding captioned firm at this time. CIA should be advised that in the event it should develop any specific information of a subversive nature concerning subject firm, we would appreciate receiving the data.

Richard Ober, CIA advised per above. 3/15/68

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UNITED STATES GOVERNMENT

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TO : Mr. D. J. Brennan, Jr.

DATE: April 8, 1968

FROM : S. J. Papich

SUBJECT: GROVE PRESS, INCORPORATED
(S) INTERNAL SECURITY - [redacted]

b1
b3 *

R. D. Cotter
C. D. Brennan

(S) [redacted] Central Intelligence Agency (CIA), advised the Liaison Agent on April 4, 1968, that the Bureau might be interested in the following observations which present a good example of the type of literature being promoted by the "New Left" and particularly by Grove Press:

He stated that very recently Grove Press released the book "Soldiers," authored by Rolf Hochhuth. This book is a bitter attack on Winston Churchill, who is characterized as having betrayed the Poles during World War II. The book was preceded by a play which has been shown in Europe and which has created considerable controversy. Hochhuth is also the author of "The Deputy," which condemned Pope Pius XII, claiming that he was responsible for the massacring of thousands of Jews during World War II. (S) [redacted] points out that "Soldiers" is dedicated to Erwin Piscator. He stated that the Bureau has considerable information concerning Piscator and his communist background.

b1
b3 *

(S) [redacted] emphasized that this was another example of Grove Press serving as a vehicle for propaganda, all damaging to U. S. security interests.

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HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

ACTION:

The above information is being directed to the attention of the Nationalities Intelligence Section and to the Internal Security Section.

SJP:clb
(5)

1 - Mr. Cotter
1 - Mr. C. D. Brennan
1 - Liaison
1 - Mr. Papich

b6
b7C

EX-103

105-173326-7

REC 11 105-173326-6

10 APR 10 1968

50 U.S.C. Section 403-1(i)(1) and 403g

66 APR 17 1968

~~SECRET~~

The Attorney General

February 20, 1970

REC-47 105-173326-8

Director, FBI

THE CHICAGO CONSPIRACY vs. THE WASHINGTON KANGAROOS

I thought you might be interested in seeing a copy of the above-captioned brochure which is attached. It is, of course, a "spoof" on the Chicago conspiracy trial. Grove Press, the publisher, is a company which puts out pornographic-type literature.

Enclosure

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DATE 11/4/91 BY SP-5RSG/WB
11-30-95 SP7CJ/TKD

1 - The Deputy Attorney General - Enclosure

105-173326-8

1 - Mr. DeLoach
1 - Mr. Bishop
1 - Mr. Sullivan

Deleted Copy Sent PETER WEIR
by Letter 6/30/75 - ack
Per FOIA Request

DGH:ccb (8)

XEROX MAR 3 1970

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MAR 5 1970

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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

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Conrad
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Gale
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Sullivan
Tavel
Soyars
Tele. Room
Holmes

TO : Mr. Bishop

DATE: February 19, 1970

FROM : M. A. Jones

SUBJECT: "THE CHICAGO CONSPIRACY TRIAL"

b6
b7C

The Bureau has received a copy of a brochure (attached) pertaining to the Chicago conspiracy trial. It is entitled "The Chicago Conspiracy vs. The Washington Kangaroos." Actually, it is a "spoof" brochure in the form of a professional football program (called "Official Pogrom").

The brochure lists defendants of the Chicago trial (such as Jerry Rubin, Dave Dellinger, Rennie Davis and Abbie Hoffman) as members of the Chicago conspiracy team. The other team is called the Washington Kangaroos, Among its members are Vice-President Agnew, Mayor Richard Daley, Senator Strom Thurmond and Attorney General Mitchell. Mr. Hoover, who is mentioned several times, is identified as being a member of this team. On pages 8 and 9 appears a brief "background sketch" of the Director which is critical. This sketch maintains, for example, that the Director keeps tabs on 200 million Americans and has 100 million fingerprints. On page 2 there is a reproduction of the Bureau's leaflet entitled "What You Can Do To Fight Communism And Preserve America."

The brochure pokes fun at Judge Julius Hoffman and very favorably supports the Chicago defendants.

This brochure is another example of New Leftist tripe circulating in the Nation. Its price is listed as $1.0 Grove Press, which puts out pornographic-type literature, is listed as publisher.

RECOMMENDATION:

REC-47 105-173326-8

For information.

Send copies of attached to A.G. & Deputy.

Enclosure

1 - Mr. DeLoach
1 - Mr. Bishop
1 - Mr. Sullivan
1 - M. A. Jones

FCS:clw
(6)

ENCLOSURE

2/20/70 DGH:ecb

5 MAR 2 1970

CRIME RESEARCH

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176-1410-1

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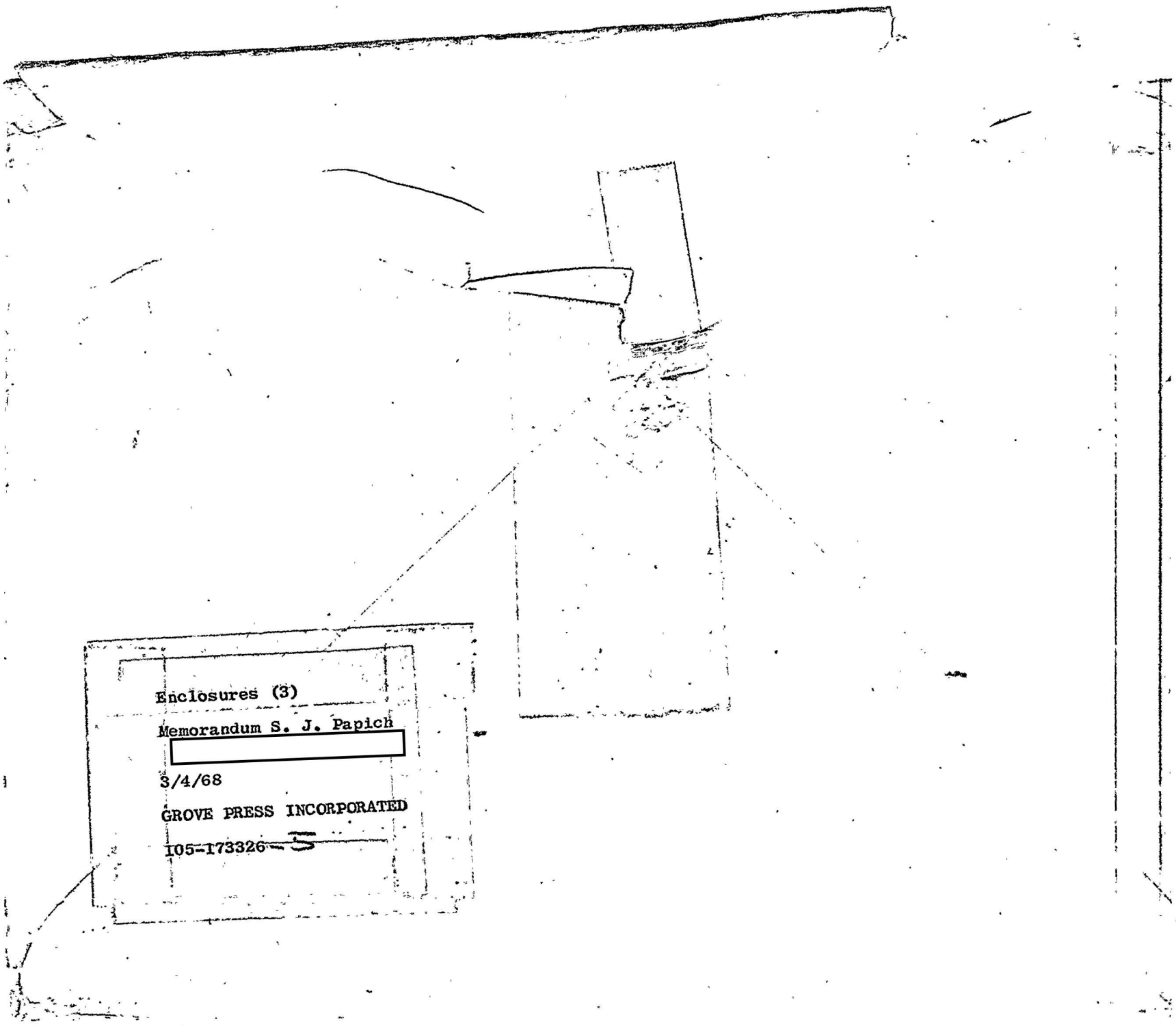
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Enclosures (3)
Memorandum S. J. Papich
[redacted]
3/4/68
GROVE PRESS INCORPORATED
105-173326-5

b6
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4-22 (Rev. 1-22-60)

Federal Bureau of Investigation
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6

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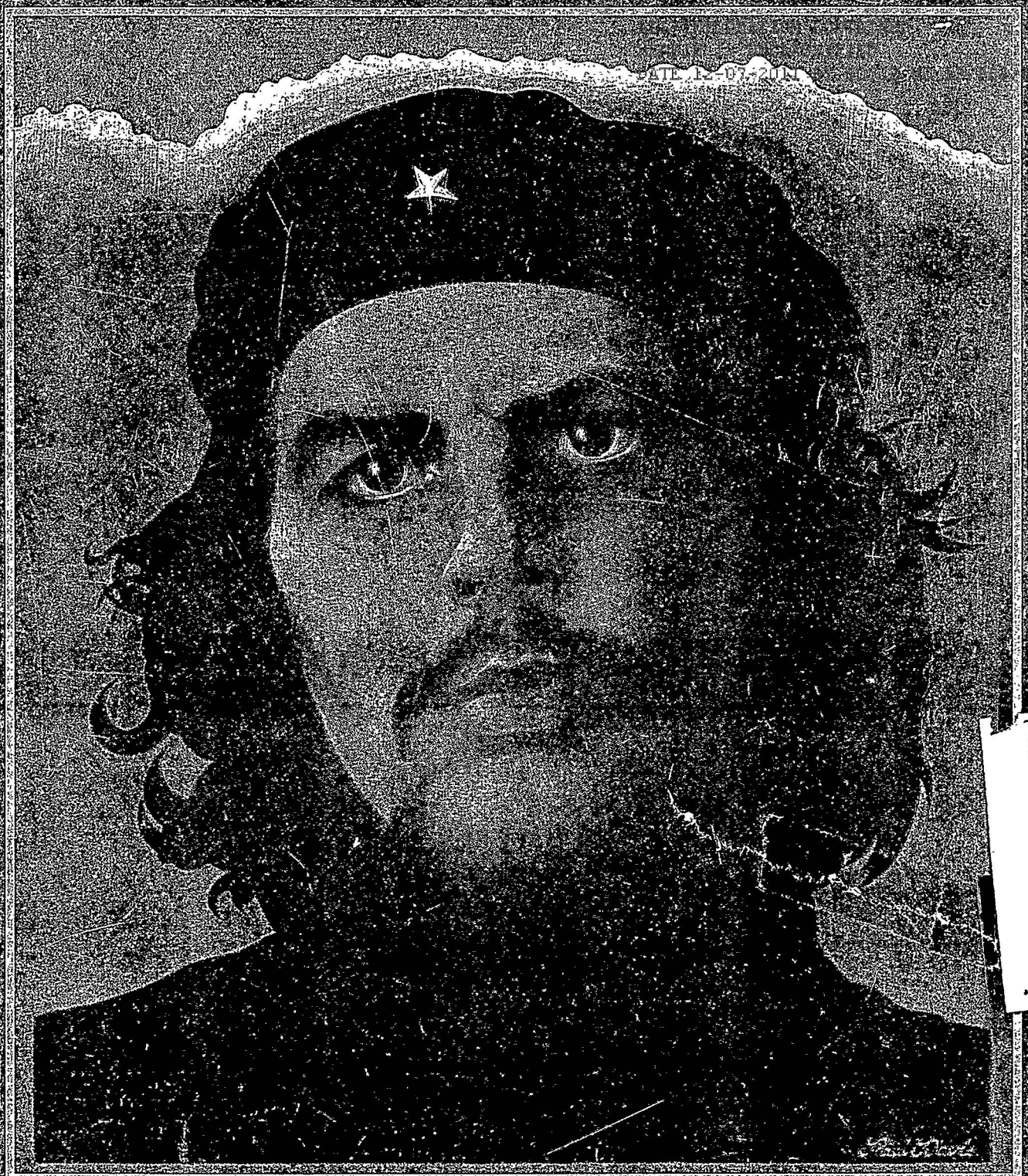
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evergreen

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Ramparts

March 1968 Seventy-five Cents

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IN COLD BLOOD
How the CIA Executed Che
by Michèle Ray



105-173326-5



kett and Henry Miller helped shape the foundations of Grove Press's avant-garde reputation, but it has published almost everything,

The Story of Grove

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By GERALD JONAS

"The honors René was bestowing upon her body, and Sir Stephen's replies, and the coarseness of the terms the men were using so overwhelmed her with a shame as violent as it was unexpected that the desire she had felt to be had by Sir Stephen vanished and she began to wish for the whip as a deliverance, for the pain and screams as a justification."
—"THE STORY OF O," by Pauline Réage (Grove Press, 1966).

"Each generation must, out of relative obscurity, discover its mission, fulfill it, or betray it. . . . As for us who have decided to break the back of colonialism, our historic mission is to sanction all revolts, all desperate actions, all those abortive attempts drowned in rivers of blood."
—"THE WRETCHED OF THE EARTH," by Frantz Fanon (Grove Press, 1965).

"VLADIMIR: Well? Shall we go?
ESTRAGON: Yes, let's go.
They do not move."
—"WAITING FOR GODOT," by Samuel Beckett (Grove Press, 1954).

"Grove Press, Inc., is engaged principally in the sale and distribution of

GERALD JONAS is a staff writer for The New Yorker.

PUBLISHER — Grove's Barney Rosset at work on a manuscript. "A blend of courage and caution, conviction and commercialism."

111

from scholarly works to what used to be called "dirty books." The result: both publishing and censorship have been left just a little shook up.

salacious printed materials, that have an overbearing emphasis on the carnal aspects of sex."

—Complaint sworn before the U.S. District Court for the Southern District of New York by four Correction Officers in the employ of the Commonwealth of Massachusetts (Oct. 31, 1967).

* * *

IN the beginning, the word for Grove Press was anything but "salacious." No one—not even a Massachusetts Correction Officer—could have found excessive carnality in the first three titles on the Grove list: "The Confidence-Man" by Herman Melville, "The Verse in English of Richard Crashaw" and "Selected Writings of the Ingenious Mrs. Aphra Behn." These three very nearly became the *last* titles on the list as well. But that was before Barnet L. Rosset Jr. put up $3,000 to buy the embryo firm in 1952 and began to publish some of the books that interested him. These happened to include two modern classics—"Lady Chatterley's Lover" by D. H. Lawrence and "Tropic of Cancer" by Henry Miller—that had long been banned in this country.

Rosset fought the bans in court with his own money and, by the time the legal fallout had settled, Lawrence and Miller had been accepted as serious writers by the duly constituted authorities, drugstores across America were displaying merchandise once restricted to 42d Street arcades and the Left Bank stalls of Paris, and Grove Press had acquired a reputation as a high-class, avant-garde publisher of "dirty books."

Barney Rosset resents this reputation—not because he has anything against what some people call "dirty books" (he prefers the term "erotic literature") but because such works account for only a tiny fraction of the total Grove Press output. Since 1952, more than 1,000 titles have appeared under the imprimatur of Grove or its various subdivisions—Evergreen, Black Cat, Black Circle and Zebra books—and nearly a third of all volumes sold have ended up as texts and "supplemental course materials" in high schools and colleges, "particularly in the fields of literature, drama, psychology and the social sciences," according to the publisher. The latest Grove catalogue—listing 394 books in print—is an engagingly eclectic document, with entries ranging from Bertolt Brecht (14 titles) and Alain Robbe-Grillet (nine titles) to Alexander Trocchi, Andrei Voznesensky, Lita Grey Chaplin and St. John of the Cross (one each).

Then there is Evergreen Review, a lively bimonthly edited by Rosset himself and now in its 11th year of publication. Evergreen (which goes monthly with its February, 1968, issue) is not above running a few full-color nudes—as "parodies" of the Playboy philosophy—or a puerile porno-strip called "Phoebe Zeit-Geist," but its list of contributors includes most of the important modern authors on both sides of the Atlantic.

Rosset also points with pride to Grove's newly organized film subsidiary, which has been distributing Frederick Wiseman's "Titicut Follies," a shattering exposé of conditions at Massachusetts' Bridgewater State Hospital for the criminally insane. Although film distribution is a new venture for Rosset, the Commonwealth of Massachusetts has done everything in its power to make him feel at home, banning the film in Boston and trying, in vain, to prevent its exhibition elsewhere.

"It's so foolish," Rosset says about his latest run-in with the censors. "There's clearly an overriding public good in showing what conditions are like in such institutions. The film doesn't even say it's anyone's fault. We thought the authorities would just say, 'You're right, conditions are terrible, but we don't have the money to correct them'—which is probably true. Instead of fighting the exposure, they could have used it to get the money. Censorship is always foolish."

AT first glance, Rosset does not look like a man who has built a career out of making censors look foolish. Thin and wiry, with thinning gray hair and tortoise-rimmed spectacles, he has an almost schoolboyish manner that makes him appear younger than his 45 years. Talking with an interviewer in the basement living room of his four-story townhouse on West Houston Street, he has trouble sitting still; he squirms in his chair like a witness in the dock. The room is big and handsomely appointed but quite bare, in a kind of Son-of-Mies-van-der-Rohe way. No books or bookshelves are visible ("They're all in the bedrooms upstairs").

Rosset's taste in clothes, for both work and play, runs to turtlenecks, suede vests, cuffless slacks and English-style boots. On the table in

(*Continued on Page 47*)

The Story of Grove (Cont.)

(From Page 29)

front of him is a pitcher of Tanqueray martinis. As he answers the questions, he puffs on a little Dutch cigar. When a question really interests him, he suddenly buries his face in the crook of his arm, as if trying to concentrate all his energies on coming up with the "right" answer. It comes as no great surprise when he reveals that the formative experience of his life was the "extremely progressive education" he received as a schoolboy in Chicago.

"I loved it. I was mad for it. It was my whole life," he says of the Francis Parker School, which he attended from the middle of the seventh grade until his graduation in 1940. "We had small informal classes; you were graded only in relation to your own capabilities. The idea was to let students progress at their own speed and to bring out their creativity.

"I couldn't wait to get to school in the morning. We read 'Man's Fate' in freshman English class. In psychology we studied 'Hamlet' in terms of Freud and the Oedipus complex. This was in the nineteen-thirties! And of course we were very aware of social events—we were great on unions and the Spanish Civil War. Every year we had a strike for peace, with antiwar lectures by the teachers. And I remember picketing 'Gone With the Wind' when it came to town for being anti-Negro."

He also remembers playing halfback on the school football team (he was co-captain his senior year), and getting his first taste of publishing with a mimeographed opinion sheet succinctly titled The Anti-Everything.

ROSSET, whose mother is Irish Catholic and whose father was a Russian Jew, says that he has never understood why his parents chose such an education for him ("Neither of them showed any particular progressive tendencies"). Barnet L. Rosset Sr. was a wealthy bank president—"various banks at different times, all small ones"—and when he argued politics with his son, he always took the conservative side. But he did not seem to mind if his son disagreed with him.

According to Rosset, a follow-up study has shown that graduates of the Francis Parker School during this period got "above-average grades in college" and tended to be "strong individualists and troublemakers." Barney himself went on to Swarthmore College, which was a great disappointment; he found it "rigid and structured—for one thing, you *had* to go to class."

The only good thing he remembers about Swarthmore was a paper he chose to write for freshman English called "Henry Miller vs. 'Our Way of Life.'".

"I didn't really know much about Miller. I was so naive I didn't even know 'Tropic of Cancer' was banned in this country. Somebody told me that the Gotham Book Mart in New York was a good place to buy it, so I took the train to New York and went in and asked for it. Frances Steloff asked me why I wanted it. I said I was a student and she reached under the counter and took out an edition that said 'Printed in Mexico' on the cover. I loved it. I've never felt 'Tropic of Cancer' was at all sexy, but I found it exciting because it was anti-American and anti-conformity."

THIS paper was dated May 9, 1941. In it, he carefully weighed the question of whether the American Way of Life was worth defending and came down, reluctantly, on the positive side: "I do not think that we should take Henry Miller's advice too seriously and bomb ourselves out of existence, but some of his criticisms are quite valid, I believe." One aspect of the world situation at the time seemed particularly distressing to the young freshman, who had literary ambitions of his own. "If we become completely Fascistized, the writer can give forth nothing creative. Writers must have a liberal society—that is, comparatively liberal—or they are stifled."

The paper got a B-minus, but the author, in search of a more liberal society for himself, transferred to the University of Chicago in the fall of 1941. He lasted only three months there—"I must have been very neurotic"—before moving on to the University of California at Los Angeles. A few months later he was in the Army. "Even the Army seemed preferable to U.C.L.A."

He got as far as China with the Army Signal Corps. When the war was over, he returned to the University of Chicago and completed his work for a Bachelor of Philosophy degree in 1947, and then came to New York to study literature at the New School, where he got a B.A. in 1952.

"I hadn't made any conscious decision about going into publishing, but one day a girl I knew said to me, 'There's this company that's published three books and it's stopping. Are you interested?' Well, I liked the three books they'd done and I had some money and it seemed like the natural thing to do—there I was, studying literature at the New School, so I must have been preparing myself unconsciously."

The first thing the new publisher did was "exactly the wrong thing." Just as a new market for quality reprints in paperback form was opening up, he took the three paperbacks his predecessors had is-

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sued and turned them into handsome hard-cover editions.

The next few years were spent learning the facts of publishing life—including the fact that bigger sales and increasing recognition do not necessarily mean bigger profits (or, for that matter, any profits at all). Even with a number of certified successes —*d'estime* as well as *de scandale*—Grove Press lost money steadily for 10 years and was often on the brink of bankruptcy. Fortunately, Rosset had inherited enough money from his father ("over a million") to pay for his on-the-job training.

The turning point was 1962. "We had found that administrative work was strangling us. Ninety per cent of our business was coming from 10 per cent of our accounts—and in those pre-computer days we couldn't keep track of all the small ones, and the smaller they were, the slower they were to pay . . . It was a disaster area. So we started ruthlessly chopping them away."

This meant that the smaller bookstores had to enlarge their orders or buy their Grove Press books through regional wholesalers. Gross sales went down temporarily, but returns of unsold books from bookstores went down even more. With greater administrative efficiency, a small profit appeared in 1963. Sales and profits have been going up ever since, while office costs have been held to a reasonable level. "I never thought about my cash position," Rosset says with an embarrassed laugh, "so I really don't know how much money I had to put in during those first 10 years. If you thought ahead in this kind of business, and really took a hard look at prospects, you wouldn't get into it in the first place."

But then you might miss out on all the fringe benefits, such as discovering Samuel Beckett's "Waiting for Godot" and introducing it to the American public in 1954, two years before its first Broadway production. Rosset, who is fluent in French, had come across the Paris edition of "En Attendant Godot" in 1953 and liked it. But before risking any money on it, he decided to ask Wallace Fowlie, a former teacher of his at the New School, if he was "right" in liking it. "Fowlie said absolutely, so I bought the American rights through an agent of the French publisher. The advance we offered couldn't have been more than $400."

Rosset was so excited about his new author that he arranged a meeting with him in Paris later in the year. "We spent what I later came to realize was a typical Beckett evening. He met me at 7:30 and said that he had to be somewhere else in a half-hour. At 2 in the morning we were still together and he was buying the drinks."

The Grove hard-cover edition of "Waiting for Godot" (translated from the original French text by the author) sold only 300 copies the first year. But the paperback version has been one of Grove's best-sellers, with 250,000 copies already in print and continuing sales of several thousand a month, mostly in college bookstores.

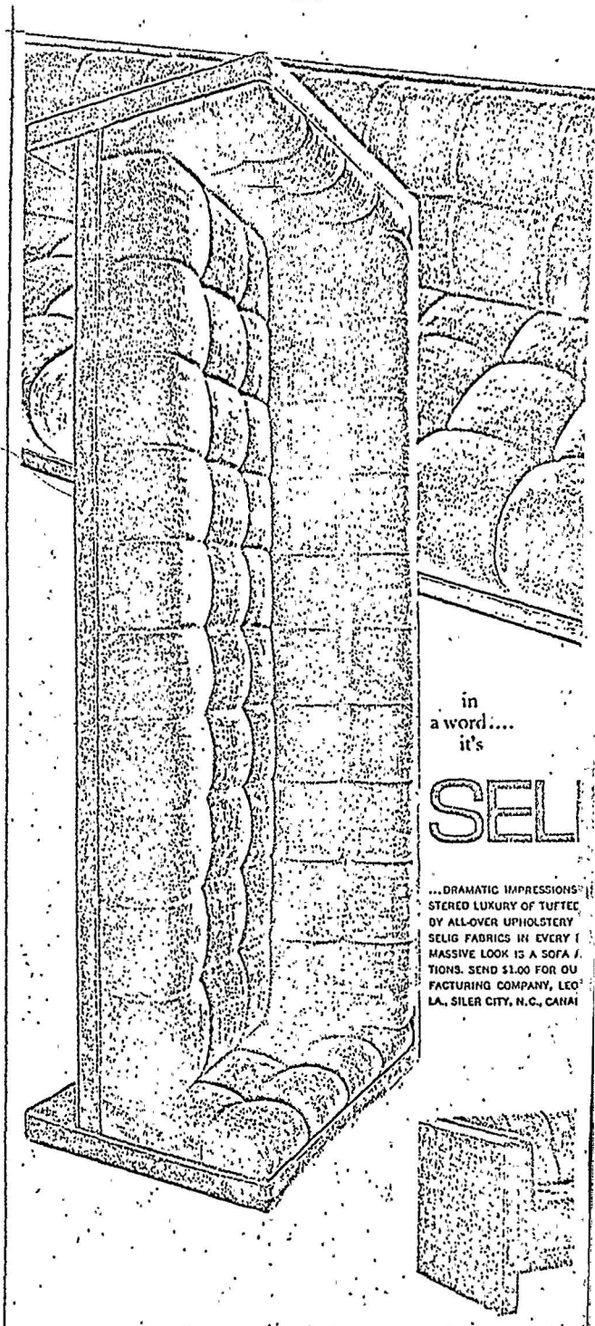
THERE was certainly nothing "dirty" about "Waiting for Godot," except perhaps for Estragon's feet, but Rosset was already preparing his first major assault on the blue-stocking sensibility.

"For me, the idea of publishing and anti-censorship go naturally together. We wanted to bring back important books

(*Continued on Page 52*).



AVANT-GARDE COMIC STRIP—Phoebe Zeit-Geist falls afoul of the Blob Princess in Grove's Evergreen Review, the bi-monthly (soon to be monthly) magazine edited by Rosset.



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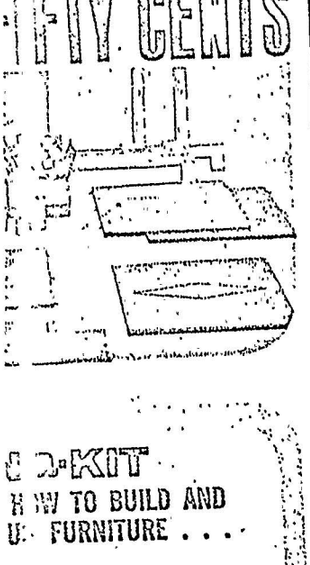
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(Continued from Page 49)

that were not available commercially, and 'Lady Chatterley's Lover' was just the logical one to do first. After all, Lawrence was a famous writer and there was no earthly good reason for his not being available in an unexpurgated edition."

Aware that there were some people on earth who thought otherwise, Rosset and his associates planned their campaign with great care before seeking a test case. Although Lawrence's literary executor refused to sanction the project, they secured permission from Lawrence's widow, commissioned Mark Schorer to write a scholarly introduction, solicited opinions on the book's literary merit from critics with unimpeachable credentials and announced that Grove would pay all court costs and fines incurred by any booksellers who had the courage to offer the Lawrence book to the public.

When all this machinery was finally assembled, it was the United States Post Office that set it in motion by refusing—in its long-accustomed role as guardian of the public morals—to accept cartons of the Grove edition for mailing. The case went to the Federal courts, where, on July 22, 1959, Judge Frederick van Pelt Bryan ruled that "Lady Chatterley's Lover" was indeed serious literature deserving of protection under the First Amendment and not the "smutty filth" that had so distressed Postmaster-General Arthur E. Summerfield. The decision was upheld in the Court of Appeals in 1960 and a year later, when Grove brought out a limited hardcover edition of Henry Miller's "Tropic of Cancer," the Post Office did not interfere with its distribution.

But nearly everyone else did. In fact, the ensuing morality play might easily have been titled "Henry Miller vs. 'Our Way of Life.'" Hundreds of local communities tried to ban the book; six state supreme courts ruled on it (New York, Florida and Illinois found it obscene, while Wisconsin, California and—surprise!—Massachusetts let it pass), and the issue was not resolved until the U.S. Supreme Court declared on June 22, 1964, that Miller's work was entitled to the full protection of the Constitution of his native land.

Rosset estimates that the Miller victory cost him $250,000 in legal fees (five times the figure for the Lawrence case), but he acknowledges that Grove "did all right financially" on its editions of "Cancer," which have sold nearly three million copies in both hard and soft covers.

If any single affair put Grove Press on the map, it was Lady Chatterley's. The uproar over Henry Miller only confirmed the image. Perhaps Rosset simply had an idea whose time had come; his campaign against literary censorship turned out to be in accord with the liberalizing trend in the courts and the unspoken predilections of readers.

PARTLY as a result of the Chatterley and Miller cases—plus a 1966 Supreme Court decision in favor of G. P. Putnam's Sons, publishers of "Fanny Hill"—the long-standing barriers to freedom of expression for serious writers in America have been virtually eliminated. Under present law, a book can be judged "obscene" only if it flunks *all* of the following tests: the dominant theme of the material taken as a whole must be shown to appeal to purient interests, *and* it must be patently offensive to the average person applying contemporary standards of the society at large, *and* it must be "utterly without redeeming social importance."

> "He doesn't think minors have to be protected from so-called pornography. 'There is no book I wouldn't let my 12-year-old son read if he asked for it.' "

Presumably, this leaves only hard-core pornography, or "dirt for dirt's sake," outside the protection of the First Amendment. But the unpredictable effects of retaining even such a limited definition of obscenity were demonstrated last year when the Supreme Court upheld the conviction of Ralph Ginzburg, publisher of Eros magazine, on the grounds that the *advertising* and *promotional* material for Eros was intended to excite the prurient interests of the potential reader, and was, in effect, a promise that the magazine would contain genuinely obscene material.

Rosset's personal dissent from this position is total. He is not only anti-censorship but also pro-excitement.

"What's wrong with exciting people? Our whole society

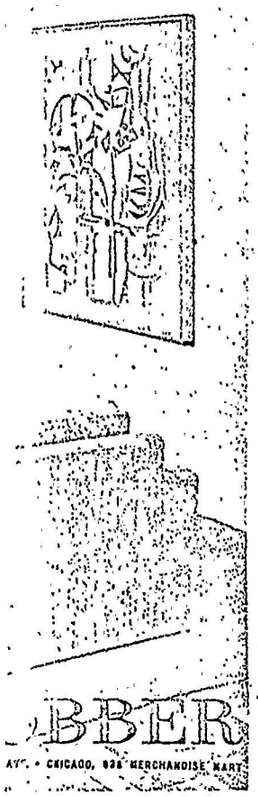
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"There's probably less censorship in the U.S. now than anywhere"

— television, movies, fashions — is built on exciting people." He doesn't think minors have to be protected from so-called pornography. "There is no book I wouldn't let my 12-year-old son read, if he asked for it." He is even opposed to the restrictions on freedom of speech that result from libel and slander laws. "If you want a free society, you must take certain risks. The greater the freedom, the greater the risks, but also the greater the rewards." Clearly though, in the light of the Ginzburg ruling, there are some risks that not even Grove Press is ready to take. "One thing we're always extremely careful with is our ads," Rosset admits.

WHILE his competitors generally give him credit for "loosening up the whole trade publishing scene in America," his own particular brand of courage and caution, conviction and commercialism, has not been without its share of critics in the industry. He has a reputation among authors and literary agents for paying small advances and driving a hard bargain on contracts. As one agent put it: "If you're dealing with Grove Press, there's probably some good reason why your property is unsalable elsewhere — too frank or far out in some way or other—and you know that, and Grove certainly knows it."

Grove is also famous for its unprofessionally slow responses to submitted manuscripts. For example, Dr. Eric Berne waited two years to get a decision on "Games People Play," even though Grove had already published two other books by him. This is a failing which might have been forgivable in the kind of one-room Greenwich Village operation that Rosset ran in the early fifties, but it is hardly appropriate for a firm with 100 employes, four floors of editorial offices at 80 University Place, its own 158-seat theater, burgeoning bookclub and film divisions, an I.B.M. 360 computer for data processing, net sales of $4,462,295 for the first nine months of 1967 (up nearly $2-million from the same period in 1966), and plans for expansion in all directions.

So far, a fairly constant balance has been maintained among the various book divisions, with Grove Press hardcover editions accounting for 25 per cent of total sales and profits; Evergreen quality paperbacks—now earmarked almost exclusively for textbook use—accounting for another 20 per cent, and the mass-market paperbacks providing the remainder. With a few exceptions — "Games People Play," Henry Miller's "Tropic of Cancer" and "Sexus" and Frank Harris's "My Life and Loves" — no single book has accounted for as much as 5 per cent of sales in any year since 1962.

The film and theater divisions will not show an immediate profit, but Rosset is convinced that other publishers will eventually follow his lead —into movie distribution at least. Apart from his own feeling that movies are "what's happening" in the arts today, he says that his authors are becoming increasingly film-conscious themselves; and with all the talk about a bolder, freer American cinema, Grove offers an unsurpassed library of avant-garde stage plays for adaptation by adventurous film-makers. (At the moment, two properties that Rosset has high hopes for are the films "Passages From James Joyce's 'Finnegans Wake,'" produced and directed by Mary Ellen Bute, and a wide-eyed Swedish import, "I Am Curious," directed by Vilgot Sjoman, whose most recent release here was the controversial "491.")

To help provide a more solid financial base for future operations, the company went public last summer. Although Rosset retained firm control, with 66 per cent of the total voting stock, the initial offering of 240,000 shares at $7 per share was snapped up by investors within a few hours.

IN the tight little world of publishing in New York, Barney Rosset is known for being something of a swinger. He has been married three times, most recently to a 22-year-old former ballet dancer named Christina Agnini. (He and Christina have a 1-year-old daughter, Tansey; he also has a 12-year-old son, Peter, by a former marriage. Peter attends the progressive New Lincoln School and, according to his father, "loves it.")

The Rossets spend as much time as possible at a two-acre *pied-à-terre* in East Hampton, L. I., that Barney bought in 1953. The main house, which was built just after the war by artist Robert Motherwell, is essentially a quonset hut with improvements. "It's all curves. The first floor is below ground level and the second floor, where the bedrooms are, rests on four posts." There

(*Continued on Page 59*)

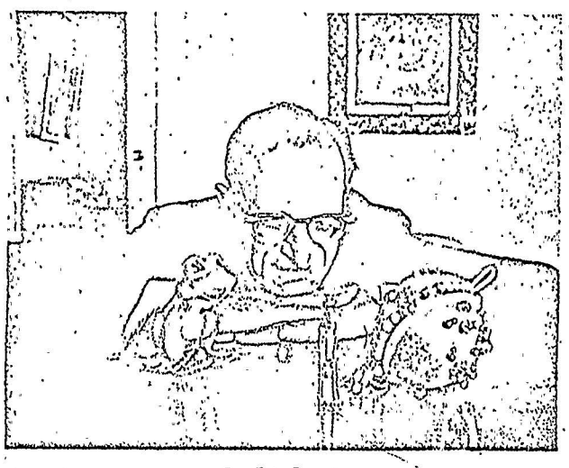


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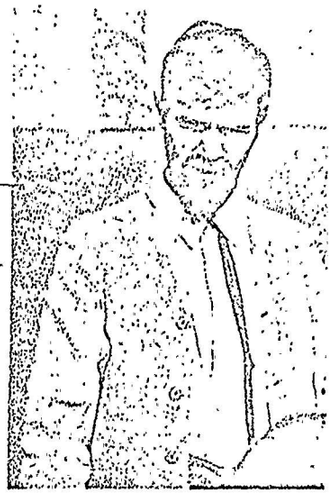
are also two unusual guest houses, a tennis court and a swimming pool. Barney is especially proud of the landscaping he has done. In place of the "sandpit with briar and poison ivy" that once surrounded the house, he has planted "evergreens, plane trees, willows, gum, ginkgos, rhododendron, holly"—and a gray picket fence to discourage sightseers. Once or twice a year, according to a friend, the entire compound blooms with "big Gatsby-like parties, filled with what we used to call 'interesting' people."

Barney himself talks with nostalgia about the Good Old Days in the Hamptons, when the summer crowd was mostly painters, especially members of the Abstract Expressionist school. He remembers in particular the time Franz Kline, Lud Sander and Willem and Elaine de Kooning painted a grapefruit and a shaved coconut to look like softballs, and Harold Rosenberg pitched them in to Phillip Pavia, who fancied himself something of a slugger. The grapefruit went "Splat!" and came down in a shower of juice, and the coconut went "Thwack!" and exploded into edible fragments, and Leo Castelli laughed so hard he fell flat on his back in the outfield grass.

"I find painters more convivial as a group than writers," Rosset says. "A couple of years ago someone organized a big softball game between the painters and the writers out there. The painters played it for fun and had a wonderful time; for the writers, it was all dead serious."



Dr. Eric Berne.



D. H. Lawre



Samuel Beckett.



Frantz Fanon.



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In 1952, Grove changed hands for $3,000. In 1967, a one-third interest (240,000 shares) wa

WITH his increasing responsibilities as president and chairman of the board of Grove Press, Inc., Rosset has been hard pressed to keep up his softball and tennis activities, and he has even tried to curtail some of his purely editorial functions. Just a few months ago, he farmed out his job as first reader of the Evergreen Review slush pile—which he had performed with great relish since the magazine was founded in 1957—and then took it back again when his successor's taste proved to be too "reactionary." Less than 1 per cent of the pile is unsolicited "erotica," but Rosset remains on the lookout for something exciting—politically, stylistically and/or sexually. He also remains one of five editors—the others are Richard Seaver, Fred Jordan, Marilynn Meeker and Gil Sorrentino — who share the readings of all book-length manuscripts submitted to Grove Press. (The firm uses some outside readers, mostly for specialized books in the sciences or manuscripts in the more exotic foreign languages.)

The December, 1967, issue of Evergreen Review offers a fair sampling of the kind of writing that Rosset considers important and relevant to our time: three murderously anti-white poems by LeRoi Jones (plus an interview with the poet); a beautiful love poem by Karl Shapiro; reasoned commentary and opinion from Jack Newfield and Nat Hentoff; an excerpt from John Rechy's new novel; a "story" about a very specialized pornographic obsession (with illustrations), and a piece of reportage, "The Fall of Jerusalem," by Abdullah Schleifer, who is identified as "the former New York writer Marc Schleifer who recently renounced his Jewish origins for the Muslim faith."

Both Dick Seaver, who has been managing editor of Grove for nine years, and Fred Jordan, who is managing editor of Evergreen Review, characterize Rosset as an editor who is uncommonly attuned to whatever it is that modern writers are trying to do. And since neither Rosset nor his colleagues have ever felt any pressure to produce a so-called "balanced" list, Grove Press has developed a much more definite personality than most publishing houses.

Yet Rosset himself resists any and all attempts to define that personality. When someone mentions "erotic literature" or the European anti-novelists or the American Beat poets or the Playwrights of the Absurd as being somehow "typical of Grove Press," he points out that "Games People Play" is actually Grove's all-time hard-cover best seller. Or he rummages in his desk drawer for a clipping of a newspaper interview with Lew Alcindor, in which the articulate giant of the U.C.L.A. basketball team is quoted as having recently read the autobiography of Malcolm X, the works of Frantz Fanon and some books by LeRoi Jones—all from Grove's current list.

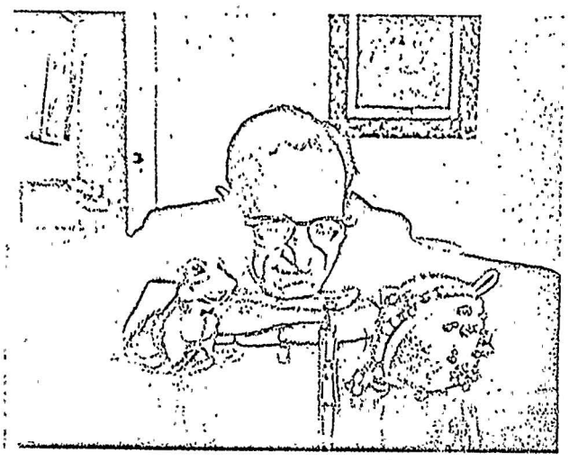
Rosset also talks cheerfully about some of the big ones that got away to other publishers, like Terry Southern's "Candy" ("I didn't think it was funny or exciting, but I've changed my mind"), and Lawrence Durrell's "Justine," the first volume of the Alexandria Quartet.

If pressed for some general statement about his literary taste, he falls back on an admittedly shaky comparison between what is happening in writing today and what happened in painting over the last 100 years: "Non-fiction has usurped the place of the older fiction—like the Dickens novel—by taking away the need for explanation, just as photography took away the need for realism in painting. What's left is Form." And Sex—"one of the hardest things to treat in cold, nonfictional terms." And Violence—"What I find personally nauseating is violence for violence's sake." And Drugs—"There's no question that drugs are an important artistic phenomenon of our time."

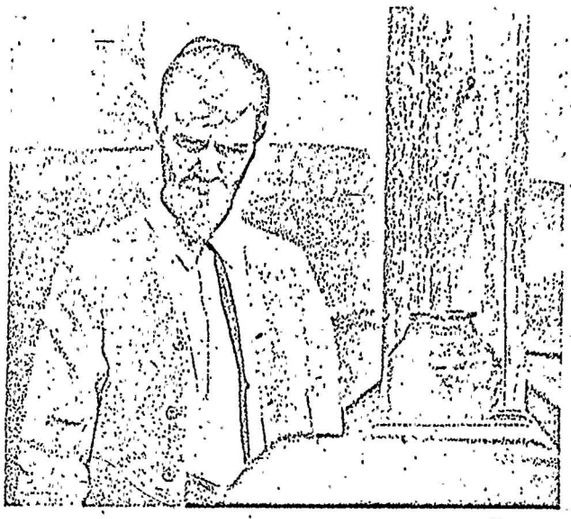
ROSSET says that his own experience with the drug scene has been severely limited. "I've tried pot but I don't inhale, so I never get much effect. I sniffed cocaine once and had the most pleasant feeling for 10 minutes; then my nose hurt for a week." He also tried LSD once, 10 years ago, at the urging of acid-prophet Timothy Leary. "I didn't like it. I got paranoid. I began to think an abstract painting was coming off the wall and attacking me." For a personal mind-expander, he prefers old-fashioned psychoanalysis or group therapy: "It doesn't do any damage, and

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D. H. Lawrence.



Samuel Beckett.



Frantz Fanon.



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In one sense, Grove Press itself has functioned as a kind of mind-expander, provoking a whole generation of Americans to take another look at long-repressed material from their cultural heritage—such as Lawrence, Miller, Frank Harris and the Marquis de Sade—and to consider such scarifying visions of contemporary society as offered by William Burroughs, Jean Genet, John Rechy, Hubert Selby and Floyd Salas. And Grove's impact may have gone even deeper. According to a young publisher who works for one of Rosset's competitors: "There is no question that more people are writing more candidly today because of what Grove has done."

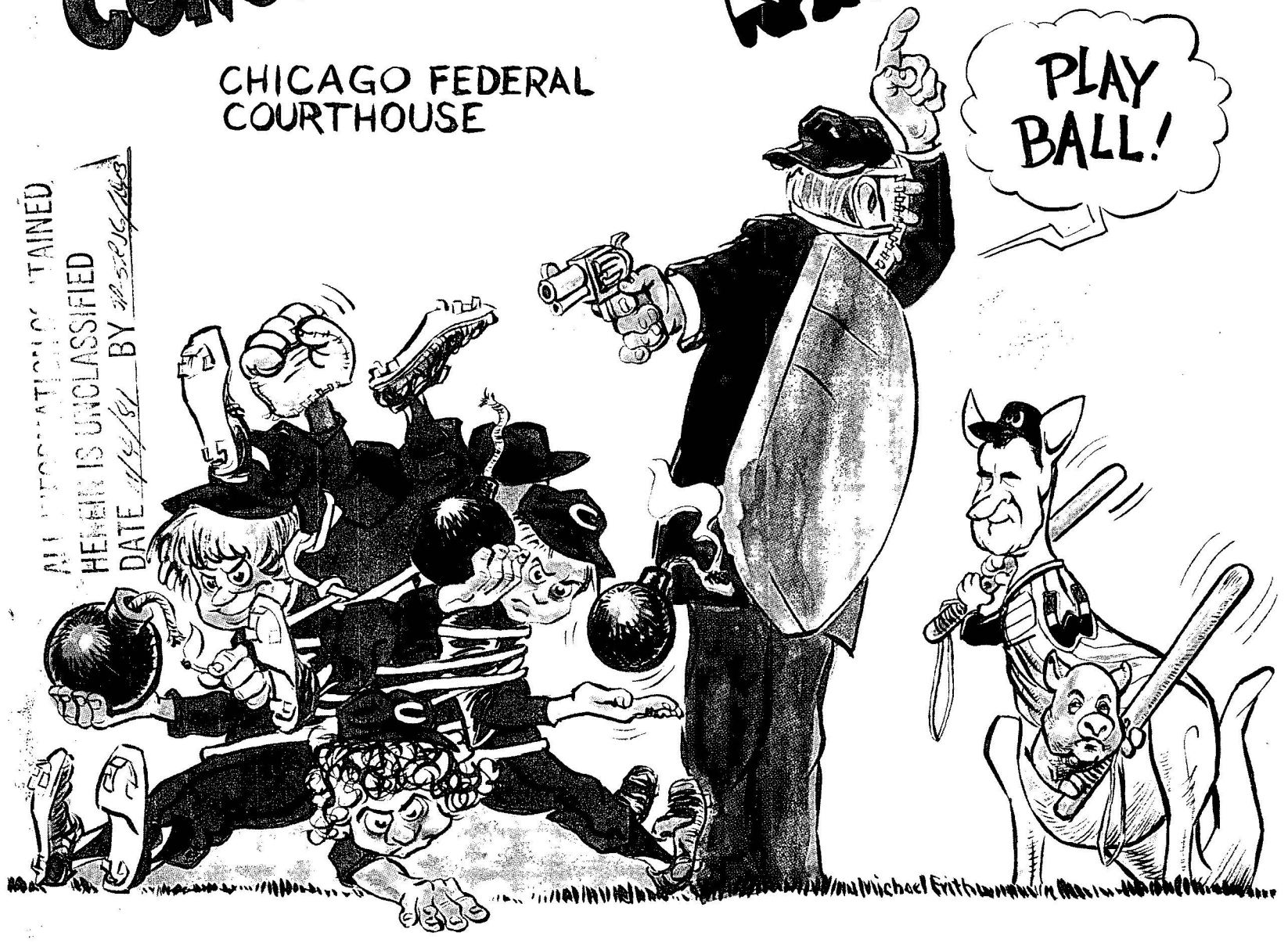
Rosset's own estimation is that "there is probably less censorship in the United States than anywhere else in the world today." But he adds a cautionary note: "I think that publishers as a group in this country were incredibly backward in pushing for their own rights. To a degree, they acted like the movie producers, making a 'code' for themselves." He shakes his head incredulously. "Self-censorship!" he says with a grimace, as if that were the Ultimate Obscenity. ☐

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THE BIG ONE

by Angus McGuernsey

The moment of truth has finally come. The day of reckoning is upon us. The Big One, the one they've all been pointing toward, the one after which "there's no tomorrow." The one that's like the World Series, the Olympics, the Super-Bowl, the Indy-500, the Derby, the Pilsbury Bake-Off, the La Grange (Ill.) Pet Parade and Christmas—all rolled up into a whole larger than the sum of its parts—is about to begin.

A long season—the most baffling one in this reporter's memory—has passed since these same two teams, the Chicago Conspiracy and the Washington Kangaroos, met last August in last year's "Big One." Many of the players who thrilled us last summer are back—"Dick" Daley, demoted from team manager but still a crucial cog in the Kangaroo machine; Jerry Rubin, his hair a little thinner than a year ago; and Rennie and Strom and J. Edgar and Dave; Johnny Froines and Bobby Seale. But, as happens in all sports, some arms and minds and legs have lost their zing and their zip, and new ones have moved in to take their respective places.

Gone from the Kangaroos are such favorites as Lyndon and Hubie, the former sent back to the Pedernales farm, the latter relegated to the involuntarily retired list. Gone, too, is John Lynch, unsung hero of the Kangaroos, who made the last Kangaroo-Conspiracy matches possible by refusing to grant parade permits. And Bill Campbell, the 'Roos' can-do Justice whose selection committee nailed down the Conspirators' starting line-up—he, too, is gone. (Both Lynch and Campbell have, by the way, stuck with the "taxi squad," and can be called up to the Big Kangaroo team any time their services are required.)

Replacing these operatives are a whole new breed of player-managers—men less colorful, perhaps, than the fading heroes whose roster spots they've won, but men whose aggressiveness and will-to-win have not been seen in the Kangaroos' lineup since the exciting Joe McCarthy-Roy Cohn squads of the fifties. Men like tight-end Dick "Detention Camp" Kleindienst, player-GM Jack "Preventive Detention" Mitchell, Coach Will "I'd call-something-a-riot-maybe-sooner-than-other-people-might" Wilson and the player-prexy himself, Dick "Fed-Up-To-Here" Nixon. In short, the Kangaroos have accomplished what sports buffs have always said was impossible: they've rebuilt their club from top to bottom and come right back to challenge for a championship. On such miracles are sports dynasties built

And meanwhile, what of the Conspiracy, or the Albatrosses, as they've come to be known. Abbie's back, but where are the 250,000 Yippies he brought with him to last year's contest? Lee Weiner's on the roster, but there's no sign of the hundreds that snake-danced behind him in Lincoln Park, stomping their collective feet and shouting "Washoi." Sure, the loss of a few prized draft-choices to the Canadian League explains some of the dimunition in the Conspiracy ranks, but the real answer lies in the cleverness—and the unmitigated *chutzpah*—of the Kangaroo strategists. For this year, the Big One will be an all-star game, and for the first time in history, the all-stars have been selected not by the writers, not by the coaches or the players or the fans, but by the opposing team. And, what's more, the 'Roos have actually had the gall to warn these Dellinger Et-All Stars that they'd better show up!

There can be no doubt about it: Inning One belongs to the Kangaroos. But I wouldn't tear up my tickets and go skulking off hollering "gyp!"—not just yet. Maybe the Albatrosses haven't really played together as a team before, but then again, look what happened to those big, bad Kangaroos when they cruised into Boston, as confident as you please, certain of victory against an older, weaker team. They lost, 3-2, that's what happened. After all, there *are* a few question marks beneath that smooth aura of invincibility. How will all those Kangaroo rookies hold up in this, only their second "crucial" game? Can they avoid the careless errors of execution that ruined them against the Boston Five? And what of all those vague, ugly stories we've all been hearing about the Kangaroo starting eight and their mysterious involvement—both individually and as a team—with the Boy Scouts of America? Is that involvement as innocent as it's made out to be, or do we detect a hint of conspiracy on the *Washington* side of the court? If so, the result could be a scandal that blows the whole Kangaroo team higher than Mrs. O'Leary's cow blew Chicago!

So settle back in your seats, fans, and get ready for a contest to remember. Konrad Lorenz sees sports as "man's salvation"—a harmless way of assuaging those little aggressions that have a way of building up inside you sometimes. Well, who am I to disagree with Konrad Lorenz—the Big One is at hand and I'm ready to be saved!

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Editors: Christopher Cerf and Michael Frith; Associate Editors: Michael O'Donoghue, George Swift Trow and Jeffrey Steingarten; Editorial Associate: Elliott Wilk; Editorial Assistants: Théon Banos, Victoria Dearborn, Betty Levinson and Barry Trimingham; Astrological Consultant: Geneviève Charbin.

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Reference: Letter 4/30/59

Examination requested: Document

Request received 5/4/59

Opinion whether "Lady Chatterley's Lover" by D. H. LAWRENCE, in an unexpurgated edition, is obscene.

Remarks:

The Bureau's files disclose that copies of the book entitled "Lady Chatterley's Lover" by D. H. LAWRENCE have previously been forwarded to the Laboratory. However, no record was found where the Department of Justice has rendered an opinion as to whether this book would be considered obscene.

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53 JUN 4 1959

MAIL ROOM TELETYPE UNIT

[redacted] 5718 b6 b7C

It would be desirable to have a copy of this book that was published in an unexpurgated edition by Grove Press and Evergreen Books by BARNEY ROSSETT, Grove Press, Incorporated, 795 Broadway, New York, New York, in the event, this book can be discretely obtained without disclosing the Bureau's interest in this highly controversal book.

A Laboratory report is not being submitted.

7-2

Recorded
5/8/59 cob

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NO LAB FILE

Laboratory Work Sheet

Re: GROVE PRESS AND EVERGREEN BOOKS, PUBLISHED BY BARNEY ROSSET, GROVE PRESS, INCORPORATED, 795 BROADWAY, NEW YORK, NEW YORK [redacted] ITOM

File # 145-1731-1
Lab. # D-306625 AV

Examination requested by: FBI, Chicago (145-25) 4/30/59

Examination requested: Doc.

Date received: 5/4/59 5/25/59 clw

Result of Examination:

Examination by: Brittain

1. Copies of "Lady Chatterley's Lover" by D.H. Lawrence sub in 71-1375-6009, 145-431 962, 145-0-3850 1 + 145-1484 0433.
2. No record found that opinion by Dept of Justice rendered concerning Obscenity
3. obtain recent edition for Lab

Specimens submitted for examination

Request:

Opinion whether "Lady Chatterley's Lover" by D.H. Lawrence, in an unexpurgated edition, is obscene.

CWB:law
Lab rpt.
5/28/59

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 4/30/59

FROM : SAC, CHICAGO (145-25)

Attn: FBI LABORATORY

306625

SUBJECT: GROVE PRESS AND EVERGREEN BOOKS, PUBLISHED BY BARNEY ROSSET, GROVE PRESS, INCORPORATED, 795 BROADWAY, NEW YORK, NEW YORK
INTERSTATE TRANSPORTATION OF OBSCENE MATTER

On April 20, 1959, PCI [redacted] Chicago Division, advised SA ARTHUR F. NEHRBASS that the book, "Lady Chatterley's Lover," by D. H. LAWRENCE was being published in an unexpurgated edition by Grove Press and Evergreen Books by BARNEY ROSSET, Grove Press, Incorporated, 795 Broadway, New York, New York.

b6
b7C
b7D

The Laboratory is requested to advise the Chicago Division whether "Lady Chatterley's Lover", by D. H. LAWRENCE, in an unexpurgated edition, is at the present time considered obscene and whether the Laboratory desires the Chicago Division to obtain a copy or copies of this book.

REC-74

MCT-8

145-1721-1

3 MAY 4 1959

CWB:hau
Lab not.
5/28/59

2-Bureau
1-Chicago

AFN:cjg
(3)

Deleted Copy Sent per CR Wells
by letter 6/3/15 - cjb

SEVERAL

0-19 (Rev. 1-28-59)

Tolson
Belmont
DeLoach
McGuire
Mohr
Parsons
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy

'Lady Chatterley' Is Termed Obscene by Post Office Aides

By Wendell Bradley
Staff Reporter

The Post Office Department charged yesterday that sex is before the reader "almost continuously" from the beginning to the end of D. H. Lawrence's novel, "Lady Chatterley's Lover."

Not only that, but the intensity of the sex acts described by Lady Chatterley increases as the book progresses, the Department argued in seeking to ban the book from the mails. The crescendo is reached, according to its brief, on page 297 of the novel.

The brief, written by Richard S. Farr, assistant general counsel of the Fraud and Mailability Division, and Saul J. Mindel, chief of the Mailability Section, states that "the book, taken as a whole, is an obscene and filthy work."

Grove Press, Inc., of New York, the publisher, replied in its own brief that the novel's distribution here "would constitute a significant contribution to American culture."

The briefs were filed with Charles D. Ablard, judicial officer of the Post Office who must render a decision as to the novel's mailability in the next five days. This decision is appealable in the courts.

Grove is the first to publish an unexpurgated version of the English novel which Lawrence wrote in 1928.

The publisher relied on such eminent men of letters as Archibald MacLeish and Malcolm Cowley.

MacLeish compared the expurgated and unexpurgated versions and stated that while the abridged version might possibly be considered obscene, the complete version certainly was not.

Cowley said he found nothing in Lady Chatterley he might not find in the Ladies' Home Journal.

The Post Office complained that the novel provides enormously detailed description of the sex act, and frequently uses Anglo-Saxon four-letter words. The publisher replied that of the novel's 407 pages only 38 describe sexual activity and that of its 155,000 words, only 75 fall into what the Post Office considers "significant."

Grove's attorneys, Charles Rembar, Morton E. Yohalem and Sigmund Timberg, suggested that if the salaciously-minded reader were to approach the book on the basis of its earlier banning, its new preface and introduction would disabuse him before he wasted too much time reading it.

Or more happily, they said, these might induce him to read the book as a whole and thus contribute to his moral and emotional rehabilitation.

The Washington Post and Times Herald B-3
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date

Grove Press Inc.

1-145-1731-A

NOT RECORDED
176 JUL 21 1959

0-19 (Rev. 1-28-59)

St
Lit.

~~Sex and~~ Literature

I have read with astonishment of the seizure of a copy of the unexpurgated edition of D. H. Lawrence's *Lady Chatterley's Lover* by the postal authorities in an attempt to make a test case of this book's frank—but indeed no longer startling—treatment of adult love.

The Executive Committee of the American Center, P. E. N., an international organization of writers dedicated to defend, among other things, the freedom of literature, wishes to protest at this new move toward literary censorship on the American scene.

A substantial precedent was established by the courts as long ago as 1933 when they recognized that Joyce's *Ulysses* could in no manner corrupt the morals of the young. Since *Ulysses*, and since *Lady Chatterley*, which was first published in 1928, we have had such works as *By Love Possessed*, the novels of O'Hara and Caldwell and Mailer—not to speak of *Peyton Place*, *Lolita*; and also such widely disseminated nonfictional documents as the Kinsey Report—which far surpass in realism the frankness of D. H. Lawrence.

I do not for a moment advocate action against these books: I am opposed to all book-banning. But I mention them to suggest that our civil servants seem to be rather considerably behind in their reading, and are compounding an ambiguity rather than clarifying an issue. The truth is that literary criticism can never be a function of government; that we cannot entrust to any department of government, however enlightened, the judgment of what is and is not good reading for young and old alike.

Only a few months ago, the American P. E. N. was among the first to protest against Russia's attempted suppression of Boris Pasternak's *Doctor Zhivago*. This summer we are sending delegates to the P. E. N. Congress in West Germany and there we will congratulate German writers on their emergence into ~~freedom from~~ the book-burnings of the Nazis.

But any remarks that we ~~may make~~ will come with ill grace from us if it is known that a novel such as *Lady Chatterley's Lover*, which the world recognizes as literature, is being treated in the United States as if it were mere pornography.

LEON EDEL,
President, American Center, P.E.N.
New York.

(The author is a Professor of English at New York University and an authority on Henry James, whose biography he is ~~completing.~~)

Tolson
Belmont
DeLoach
McGuire
Mohr
Parsons
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy

b6
b7C

File

Grove Press Inc.

The Washington Post and Times Herald E-4
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date MAY 17 1959

62-116731-A-

62 MAY 21 1959

0-20 (Rev. 1-28-59)

Mr. Tolson
Mr. Belmont
Mr. DeLoach
Mr. McGuire
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C. Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

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UPI-24

(LADY CHATTERLEY)

NEW YORK--THE PUBLISHER AND A DISTRIBUTOR OF THE UNEXPURGATED "LADY CHATTERLEY'S LOVER" SAID TODAY THEY WERE CONFIDENT THE FEDERAL COURTS WILL OVERTHROW THE OBSCENITY RULING OF POSTMASTER GENERAL SUMMERFIELD AND PERMIT THE 31-YEAR-OLD NOVEL TO BE SENT THROUGH THE MAILS.

ONE COURT ACTION, TO ENJOIN THE NEW YORK POSTMASTER FROM INTERFERING WITH MAILING OF THE BOOK, IS ALREADY ON FILE IN FEDERAL COURT HERE. GROVE PRESS, INC., THE PUBLISHER, AND THE READERS' SUBSCRIPTION, WHICH SEEKS TO DISTRIBUTE THE BOOK TO ITS MEMBERS, SAID FURTHER STEPS WOULD BE TAKEN "TO LIBERATE 'LADY CHATTERLEY'S LOVER' FROM THIS INTOLERABLE CENSORSHIP."

6/12--JD944A

1145-1731-A-
NOT RECORDED
176 JUL 21 1959

WASHINGTON CAPITAL NEWS SERVICE



24 Parcels of Lady Chatterley

By Max Lerner

Next Thursday, May 14, there will be a hearing in a room at the new Post Office in Washington, to decide whether 24 parcels of "Lady Chatterley's Lover" will be released or held as unmailable —which would mean ending the distribution of the book. The letter to the Grove Press from Richard S. Farr, of the Fraud and Mailability Division of the Post Office, "alleges and avers" that "the said book . . . is obscene, lewd, lascivious, indecent and filthy in content and character," and that "the dominant effect of the book appeals to prurient interest."

Well, the issue is finally joined. Ever since Lawrence finished Lady Chatterley in 1927, no one has dared publish the complete (or third) version in England or the U. S., and no one has had the courage to put it to a court test. Lawrence battled with the censors—the guardians of "the dirty little secret," as he called them—during his lifetime. But in the intervening 30 years, the book has become one of the classics of the literature of love and the love act.

In those 30 years, surely, we should have learned something

He soon returned and saw us studying the portraits of his predecessors—William McKinley, Rutherford B. Hayes, James M. Cox, Salmon P. Chase. "It doesn't pay to try to move up from this job," said the governor of Ohio. "Four Ohioans made it—Garfield and McKinley, who were killed, and Grant and Harding, who didn't do too well." He looked slimmer, and said: "I don't know if I've lost any weight, but my opposition seems heavier and heavier: I can feel it on my back."

To break the pile-up of legislation, DiSalle vowed not to step foot outside of Columbus until the Legislature ends its session. He's worked in his office for 118 consecutive days and nights, including Sundays. He's therefore missed one Kentucky Derby, the throwing-out-the-first-ball ceremonies in Cleveland and Cincinnati's ballparks, and three honorary degrees.

It seemed strange, seeing him walk beneath the vaulted dome where Lincoln's body once rested in state, this son of Italian immigrants who was born in Sullivan St., N. Y., about the same time that Nelson Rockefeller was born in N. Y. And now both New Yorkers are governors. We drove to the Executive Mansion, a Tudor estate where he'd entertained the Legislature and told some of them: "If you're thinking of moving in someday—the rent is high; you pay it in blood."

During dinner he spoke of his early schooling, and of his after-school job which interfered with his studies. One student boasted to him about his A-average, and DiSalle said he could do it anytime he wanted. They made a bet—one banana-split. At the next marking period young Mike collected his bet; he'd scored straight A's.

My wife was to leave on an earlier plane, and DiSalle had his chauffeur take her to the airport. "A good driver," he said. "He's a killer." Eight of the 10 household employes at the Executive Mansion are all prisoners serving life sentences. "I'm against capital punishment," he said. "What better way to prove it than by living in a house with convicted murderers?"

The Ohio visit now was over and we drove to the airport, the governor sitting next to the Iler-chauffeur. "See you at Toots Shor's," said DiSalle. "If this Legislature ever gets finished." And then he drove back to the Statehouse for the night's work.

62 JUL 21 1959

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Filed in

N.Y. Post
7th Blue Final
5/10/59
M 8

© Grove Press INC.

145-1731-A
NOT RECORDED
176 JUL 21 1959

0-19 (Rev. 1-28-59)

Tolson ✓
Belmont
DeLoach
McGuire
Mohr
Parsons
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman

b6
b7C

The Lady's Not for Banning

In the best tradition of Anthony Comstock, the Post Office Department has seized 24 cartons containing copies of *Lady Chatterley's Lover*, impounding them in New York. However, the action is not in the best tradition of a free society. To begin with, the Post Office held up the shipment of D. H. Lawrence's famous novel pending a decision whether the unexpurgated version is mailable under Federal obscenity laws. This seems to be a clear case of prior restraint, a form of censorship especially odious. If it is felt that a question of obscenity is involved, the Department by all means should file a complaint and provide a hearing—and not curtail free expression first while the Department's students of salacity examine what went on between the lady and the gamekeeper.

But more than that, a grave legal question exists as to whether the Post Office is vested with the power to administrate Federal obscenity statutes. Title 18, Section 1461 of the United States criminal code contains no such explicit authorization. The Post Office in the past has proven a notoriously inept censor (not long ago Aristophanes' *Lysistrata* ran afoul of the postal authorities), and it would be far less dangerous if the obscenity laws were enforced by Federal attorneys, in the same way as other Federal criminal offenses.

There is a particularly ugly aspect to the Department's overzealous action. According to A. J. Russell, advertising manager of *The New Yorker*, his publication was informally warned that if it accepted a book club advertisement for the Lawrence novel, the magazine might not be accepted for mailing. If Mr. Russell understood the warning correctly, the Department's effrontery is indeed colossal. No legal finding has been made on whether the *Lady* is obscene—although Grove Press, the publisher, has said it would welcome a test. Thus the Post Office not only has blocked the distribution of the novel, but has apparently forced the cancellation of an advertisement which in itself contained nothing obscene. Will the postage-watchdogs next seek to censor book reviews that mention any Lawrence, D. H., T. E. or David?

Grove Press Inc.

The Washington Post and Times Herald A42
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date

145-1731-A

62 [illegible] 1359

"Some of You Still Seem to Have the Old-Fashioned Idea That We're Supposed to Deliver the Mail"



0-19 (Rev. 1-28-59)

Tolson
Belmont
DeLoach
McGuire
Mohr
Parsons
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy

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145-1731

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The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date 8

176 JUL 21 1959

Mr. Tolson
Mr. Belmont
Mr. DeLoach
Mr. McGuire
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C.Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

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b7C

War On Obscenity

Arthur E. Summerfield, postmaster general, appealed yesterday for public support in his intensified war on "barons of obscenity who are brazenly violating our homes and soliciting our children."

Public cooperation is particularly important, the Cabinet officer said, because the federal government is armed with a new law which makes it possible to prosecute mail order filth dealers in local area courts.

Formerly, they could be prosecuted only at the point of origin of this material—usually a few big cities where obscene mail dealers have taken sanctuary behind legal technicalities and liberal court interpretations of what is obscene.

Traffic in mail order obscenity reaches a shocking half billion dollars a year in this country, Mr. Summerfield said. He suggested these steps if obscene mail or advertisements soliciting its sale, appears unordered in your home mail box:

(1) Save all material received, including the envelope and all enclosures.

(2) Report the matter immediately to your local postmaster, and turn the material over to him. (You may mail in your complaint and evidence if you wish).

(3) Stand ready to sign a formal complaint and testify if criminal action should be necessary.

Mr. Summerfield said public cooperation is so vital to prosecution because the "filth factories" take advantage of "one of the nation's most cherished privileges to carry on the smutty trade—the uncensored letter—which is not subject to inspection.

"Dealers in smut no longer surreptitously serve only a few adults. They brazenly solicit teen-agers and even young children, sending their material indiscriminately and without conscience into our homes."

Therein lies the real danger to our society: exposing our children to the filthy films and books, dirty pictures, slides and related filth. It should not be allowed to continue.

Mr. Summerfield's appeal for public support in halting the traffic in obscenity is one which deserves everyone's active cooperation. We pledge our backing and hope others will, too.

Philadelphia, Pa.

Inquirer _____

Bulletin _____

Daily News _____

The Stroudsburg Record
Stroudsburg, Pa.

Date 5-5-59

Edition _____

Page _____

Column _____

Editor Horace H. Heller

Title of Case _____

GROVE PRESS INC. 145-1731-A-
NOT RECORDED
176 JUL 21 1959

SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____
JUN 4 1959
FBI — PHILADELPHIA
Bureau

62 JUL 21 1959

STANDARD FORM NO. 64

Office Memorandum · UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI
ATT : FBI LABORATORY

DATE: 6/4/59

FROM : SAC, NEW YORK (145-549)

SUBJECT: GROVE PRESS INC.
ITOM

On 5[redacted]/57, [redacted] furnished SAS [redacted] and [redacted] one copy of the book entitled "Lady Chatterley's Lover" which he considers obscene.

b6
b7C
b7D

It is noted this book was published by GROVE PRESS INC., 795 Broadway, NYC, and written by D. H. LAWRENCE.

Enclosed herewith to the Laboratory is the one copy of this book and the Laboratory is requested to advise if this book is a suitable vehicle for prosecution. This case is being closed in the NYO and will be reopened if this book is deemed obscene.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/27/89 BY SP1AG/jac
(309,329)

Deleted Copy Sent PETER WEISS
by Letter 6/20/75 - Spk
Per FOIA Request

destroyed
2/14/63
as duplicate this
book from Chicago let 7/1/59
already in OO Retain book
in Lab. 6-3-59

3 - Bureau (Encl. 1)
(1-FBI LABORATORY)
1 - New York (145-549)

REC- 77

145-1731-2

PGD:mml
(4)

ENCLOSURE

7-7
JUN 8 1959

SEVEN

SIX

FBI - NEW YORK FILES

63 JUL 1 1959

0-19 (Rev. 1-28-59)

Tolson
Belmont
DeLoach
McGuire
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Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy

S.T esa

File 6

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'Chatterley' Ban Stands Until Summerfield Rules

Testimony, Briefs on Mailability of Novel Sent to Postmaster for Final Decision

By Judith Crist

A Post Office Department judicial officer yesterday continued the mailing ban on "Lady Chatterley's Lover" pending a ruling by Postmaster General Arthur E. Summerfield on whether the unexpurgated edition is obscene.

In a ruling issued in Washington two weeks after he had presided at a hearing here on the "mailability" of the first unabridged American edition of the 1928 D. H. Lawrence novel, Charles D. Ablard declined to reverse "rulings of long standing" that have held the book to be obscene and have prevented the import of European editions. He said he was referring the case and the testimony and briefs involved to the Postmaster for "final departmental decision."

Circulars Seized

A Post Office spokesman said that pending that decision the book will still be banned from the mails, as it has been since twenty-four packages containing 164 copies being mailed to stores by Grove Press, Inc., of 64 University Place, were seized on May 6. The Post Office has also seized more than 20,000 circulars mailed by Readers' Subscription, Inc., a book club, offering the novel as its May selection. The club, at 59 Fourth Ave., is a co-defendant with Grove Press in the Post Office action.

The department spokesman said the Postmaster General would render a decision "as expeditiously as possible because he realizes the matter is of deep public concern." He noted that after the final ruling is made, the case can then be taken to the Federal courts on appeal.

Admit Literary Merit

Mr. Ablard noted that the "complainant," referring to the general counsel of the Post Office, alleges that the book is obscene and non-mailable and that the book club circulars give "information as to where obscenity may be obtained." He added that "the complainant admits that the novel has literary merit but claims that the obscene passages outweight the literary merit."

"The book at issue, which is the unexpurgated version," he said, "has for many years been held to be non-mailable by the Pos Office Department and non-importable by the Bureau of Customs of the Department of the Treasury. To hold the book to be mailable matter would require a reversal of rulings of long standing by this department and to cast doubt on the rulings of a co-ordinate executive department. This proceeding is therefore referred to the Postmaster General for final departmental decision," pursuant to departmental rules which permits such referrals.

Attorneys for both Grove and Readers' Subscription said last night that they had no immediate decision on possible action before Mr. Summerfield's ruling.

The "long standing" rulings Mr. Ablard referred to were a 1929 ban on importation of the book by the Customs authorities and a supplementary action by the Post Office. Neither of these rulings has been tested in the courts.

See Hopeful Sign

A spokesman for Grove Press said last night, "The decision demonstrates to us that the judicial officer concluded the book did not violate any Federal statute but felt instead that the reversal of a thirty-year-old decision by the Post Office must be undertaken by the Postmaster General himself."

The defendants' attorneys had argued that there has been a change in moral standards durin ghe past thirty years that makes the book acceptable and that the book did not in any case appeal to "priurient" interest. The Grove brief noted that only "portions" of thirty-eight of the volume's 368 pages deal with descriptions of sexual activity and that only 75 of its 155,000 words are what the complainant referred to as "four-letter words."

62 JUL 21 1959

1145-1731-A-
NOT RECORDED
176 JUL 21 1959

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune 4
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date MAY 29 1959

0-19 (Rev. 1-28-59)

Tolson
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W.C. Sullivan
Tele. Room
Holloman
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FBI

Interim Permit to Mail 'Lady Chatterley' Is Refused

B-4

The publishers of "Lady Chatterley's Lover" said yesterday the Post Office has turned down their request for a permit to mail out the D. H. Lawrence novel while the question of its obscenity is being resolved.

Attorney Charles Rembar, representing the Grove Press, Inc., said he had been informed by Herbert B. Warburton, general counsel of the Post Office, that "to grant the request (for an interim mailing) in a case which has attracted considerable Nation-wide publicity would establish for us a very difficult precedent."

A Post Office Department spokesman here said yesterday that its judicial officer, Charles D. Ablard, had conducted a hearing on "LCL," as the book has come to be known in the Department, on May 14. His ruling on the book's mailability is expected before the end of this month.

Rembar charged, however, that Warburton's refusal of an interim mailing raised "Constitutional questions of prior restraint and censorship," especially in the light of the Post Office's seizure of 164 copies of the book in New York on May 6.

Attorneys for the publisher countered the Post Office obscenity charges with a brief which argued that of the novel's 407 pages only 38 describe sexual activities and of its 155,000 words only 75 are of the kind which the Post Office referred to as Anglo-Saxon four-letter words.

1145-1731-A-
NOT RECORDED
176 JUL 21 1959

The Washington Post and Times Herald B-4
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date MAY 28 1959

62 JUL 21 1959

SAC, New York

July 6, 1959

Director, FBI

GROVE PRESS, ET AL.;
ITOM
Grove Press Incorporated

New York Division should follow and advise the Bureau of the results of action pending in U. S. District Court in which the Grove Press and Readers Subscription, Inc., are endeavoring to upset the ban placed by the Postmaster General on the mailing of "Lady Chatterley's Lover."

No further investigative activity regarding interstate transportation of this book is desired at this time. Any information volunteered should be accepted.

JRB:lww
(4)

Deleted Copy Sent Paper Work
by Letter
For FOIA Request

MAILED 19
JUL - 6 1959
COMM-FBI

MCT - 21

REC-78 145 1731-3

JUL 7 1959

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W.C. Sullivan
Tele. Room
Holloman
Gandy

49

3 JUL 10 1959

MAIL ROOM ☒ TELETYPE UNIT ☐

Lady Chatterley's Predecessors

By HARRY BACAS
Star Staff Writer

When Postmaster General Summerfield ruled a few days ago that "Lady Chatterley's Lover" could not be sent through the United States mails, he set off the latest round in an old debate over censorship vs. the freedom to read.

"Obscene and filthy," said Mr. Summerfield of D. H. Lawrence's novel. "Deeply religious . . . spiritual fulfillment . . . one of the most important works of fiction of the century," said the defense. The argument will continue. The Grove Press, publisher of the new edition of Lawrence's story about a British gentlewoman's affair with her gamekeeper, has asked the Federal District Court in New York for an injunction against Mr. Summerfield's ban. The case could eventually reach the Supreme Court, which in recent years has concerned itself increasingly with the laws against obscenity.

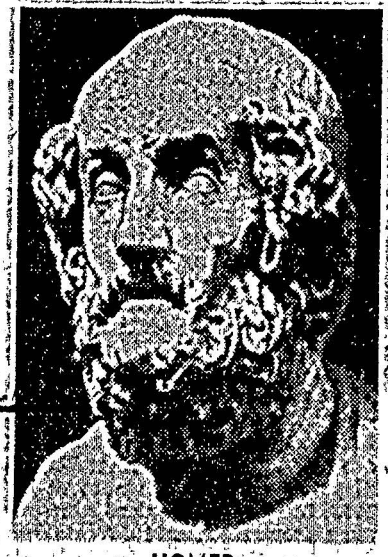
Meanwhile, the book itself is selling at a far greater rate than it would have if the censorship issue had never been raised. The Postmaster's General's ruling applies only to its mallability. Book dealers have been getting large quantities by express.

The United States has never had an official agency for the licensing of books. States, municipalities and private organizations have been the chief instruments of censorship. And in this country, censorship has almost always been based on sexual undesirability.

Some Early Precedents

When the Roman Emperor Caligula tried to suppress Homer's "Odyssey," it was because he feared the Greek ideals of freedom. When the Chinese Emperor Chi Huang Ti, 200 years earlier, ordered the "Analects" of Confucius burned, it was because he believed only in practical books. The works of Dante, Luther, translations of the Bible, Roger Bacon, Erasmus, Calvin, Galileo, Descartes and Thomas Paine were banned on religious grounds. Shakespeare, Molière, Swift, Goethe, Thomas Jefferson and Victor Hugo were banned for political reasons.

In English common law of which we are the inheritors, publishing obscenity is not a crime of very long standing. As late as 1708, an English judge held that works against religion or the state were criminal but an obscene book was not. In the United States, the first permanent legal step against obscenity was the passage of the Tariff Act of 1842, which forbade the importation of obscene literature. Thirty years later, in 1872, Anthony Comstock, the whirlwind New York vice crusader, waging what has been called "one of the most effective one - man lobbying campaigns known," brought about the enactment of an omnibus Federal anti-obscenity law which prohibited, among other things, the sending of obscene literature through the mails. That law is the basis of the Postmaster General's "Lady Chatterley" ruling.



HOMER
There is nothing new . . .



D. H. LAWRENCE
. . . in censorship

Several years later, a Federal judge established the definition of an obscene book as one which contained anything which tended to sexually corrupt "those whose minds are open to such immoral influences"—presumably the feeblest mentalities in the community. Other courts, dissatisfied with the definition, sought to narrow its scope. Eventually, the definition was rejected outright, by Federal Judge John Woolsey in the celebrated 1933 decision allowing James Joyce's "Ulysses" to be imported after an 11-year ban. Since then most judges have used as a standard, the effect of a book on the normal, average healthy person.

The "Esquire" Case

The Supreme Court first tackled the obscenity question head-on in 1948, in ruling that a New York law against "stories of bloodshed and lust" was unconstitutionally vague. Later, when the Post Office Department tried to bar Esquire Magazine from second-class mailing privileges, not because of obscenity but on the grounds it lacked the informational or literary character to justify Government subsidy of its distribution, the court prohibited the action as arbitrary. Still later, however, the court affirmed a lower court ruling that "Memoirs of Hecate County," Edmund Wilson's book on the sexual adventures of New York suburbanites, was obscene. Its mallability was not in question and the court did not give an opinion.

The first Supreme Court opinion addressed squarely to the censorship of books came in February, 1957, when the court unanimously invalidated a Michigan law against works which might tend "to the corruption of the moral of youth." The opinion said that the effect of the law was to "reduce the adult population of Michigan to reading only what is fit for children," thus curtailing liberties guaranteed in the Fourteenth Amendment. In the Roth case, five months later, the court, while upholding the Federal statute against mailing obscene literature, emphasized that "sex and obscenity are not synonymous."

More significantly, the court provided a new test for obscenity: "Whether to the average person, applying contemporary standards, the dominant theme of the material taken as a whole appeals to prurient interest." The court thus made clear that a book had to be considered as a whole, rather than lifting passages or single words from it, and that the book must be judged for its effect on the average adult, instead of the youngest or most susceptible reader.

In subsequent rulings, the Supreme Court has kept a watchful eye on obscenity cases, reversing four lower court findings of obscenity. In one, the District Court here had upheld the contention of Postmaster General Summer-

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held that a nudist magazine was unmailable, finding it "filthy, foul, obscene." The District Court of Appeals had affirmed the decision. But the Supreme Court unanimously reversed it.

Over the country, courts have tended recently to restrict obscenity findings to what the Post Office's legal department calls "outright hard core pornography." Or, as an appellate court expostulated, a book can no longer be condemned as obscene if it is merely "bad"; it has to be "awful."

Science and Obscenity

The Customs Bureau last year gave up a seven-year fight to bar the importation of certain materials, including Chinese paintings, books and "lavatory wall inscriptions," by Indiana University's Institute for Sex Research. The customs officials presumably accepted the Supreme Court's new, strict definition of obscenity in the Roth case and decided not to appeal a District Court ruling that "what is obscenity to one person is but a subject of scientific inquiry to another." On the same basis, the customs this year returned to a sociologist a copy of Henry Miller's "Tropic of Cancer" which it had seized. It still bans general importation of the book, however.

The Post Office itself, after the Roth decision, set up new regulations which now insure a formal hearing for the senders of material considered non-mailable by the department. The new rules also prohibit local postmasters from taking it on themselves to bar material from the mails. It was after a hearing under the new regulations that Postmaster General Summerfield issued his ban on "Lady Chatterley's Lover."

One of the arguments made by critics of the Postmaster General's decision is that poor "Lady Chatterley" is now somewhat old-hat. They point out that although the book does indeed contain a number of four-letter Anglo Saxon words, it contains none which have not appeared in a number of "accepted and respected novels of the last several decades." They cite such books as "Ulysses," "A Farewell to Arms," "The Naked and the Dead," "From Here to Eternity," "By Love Possessed," "From the Terrace" and "Peyton Place." Each of these, of course, has been a best-seller, no doubt in large measure because of its frankness about sex.

D. H. Lawrence did not even put in the four-letter words when he wrote the first two of his three complete versions of the novel. The third version, published in Italy in 1928, was barred from the United States by the Customs Bureau the following year. The ruling has never been contested in court. In 1930, an expurgated edition of the third version was issued in this country and widely reprinted. In 1944, the first version was published here as "The First Lady Chatterley." Neither is barred from the mails.

Even if the Postmaster General's ruling is overturned, "Lady Chatterley" undoubtedly will run up against some local censorship. Such suppression, both by local governments and by private groups, is widespread. The National Office for Decent Literature, for example, which circulates a list of books prepared by the Chicago Archdiocesan Council of Catholic Women, is credited with keeping "more books off the drugstore racks than all of our police sergeants and public prosecutors." Its lists concentrate on magazines, comics and paperbacks.

Many State legislatures have sought recently to strengthen obscenity statutes. Their concern is obviously over the kind of materials available to youths. And, an increasing number of private community organizations has put pressure on newsstands and drugstores to "clean up" their offerings.

Watch and Ward Society

The most famous such organization, Boston's Watch and Ward Society, now the New England Citizens Crime Commission, probably holds the American record for getting books banned, beginning in 1878 with Whitman's "Leaves of Grass." These prohibitions have almost invariably had the effect of increasing sales elsewhere, so that publishers consider it auspicious for a new book's success to have it "banned in Boston." Local bans cannot take much credit for success, however, when they are invoked as, they have been, against such established favorites as "Tom Sawyer" or "Robin Hood."

The wave of censorship, if it is that, is directed chiefly at books and magazines. The motion picture industry, radio and television have developed systems of self-censorship, as one observer says, "partly to forestall an official censorship, partly out of fear of offending audiences and sponsors. This self-regulation has been very effective. Only four States exercise censorship of movies, while every State except New Mexico has statutes against obscene publications.

How well "Lady Chatterley" will fare in the many inspections she still must undergo, remains to be seen. Her popularity is already assured.

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Summerfield Explains His Ban on 'Chatterley'

Sees a Decline in Public Taste, But Insists That 'Filth Is Filth'

By Robert J. Donovan

WASHINGTON, June 20.—Has the American public's taste in literature declined in the last generation?

Did the respected literary critics who acclaimed the merits of the unexpurgated edition of "Lady Chatterley's Lover" overlook its "obscenity" and its "filth?"

Does the government have an obligation to keep such a book out of the mails?

Does "Lady Chatterley's Lover," as well as other books like it, contribute to juvenile delinquency?

For the Fast Buck?

Is D. W. Lawrence's novel in essentially the same category as the lewd photographs and pornographic movies that are peddled by seamy characters out to make a fast buck?

The answer to all these questions was given today with an emphatic "yes" by Arthur E. Summerfield, the embattled Postmaster General of the United States, who for more than a week now has been the center of a sizzling controversy over his action in banning the unexpurgated copy of "Lady Chatterley's Lover" from the mails.

Mr. Summerfield, a former chairman of the Republican National Committee and one of the original members of President Eisenhower's Cabinet, ruled on June 11 that the book is "an obscene and filthy work."

With this decision he unloosed a wave of praise and applause from some groups and a cry of "censorship" from others, and practically assured a lawsuit that may be carried all the way to the United States Supreme Court.

Meanwhile he is well aware that, on the old theory that "banning a book in Boston" makes it a best-seller elsewhere, his ruling inevitably will boost the sales of the very work he believes to be harmful. But he does not see how, as he said in an interview with the New York Herald Tribune, he could have let this circumstance stand in the way of what he considered his duty to enforce the law.

"I make no claim of being a literary critic in the professional sense," Mr. Summerfield said, "but I feel I have some sense as to what is decent and what is filthy, as most normal people do have, and filth is filth."

The Postmaster General had a copy of the book close at hand in his office to reinforce his arguments.

"But what about ~~the good~~

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'Chatterley'

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opinion expressed by many reputable critics?" he was asked.

Likes Books About Sea

"How anybody can call these pages anything else but filth," he said, "I do not understand. This procession of vile four-letter words is obscene. If this is not filth in this book, I pray you tell me what is filth. I don't care what the literary critics say."

While official duty called him to the pages of "Lady Chatterley's Lover," Mr Summerfield is not accustomed to reading much fiction. He doesn't have time for it, he said. His tastes run rather to non-fiction books and articles on the sea and on hunting. A week ago, for example, he was reading "Zanzabuku," an account of African safaris, whose four-letter words, as "Time" points out, consist of "oryx," "topi," "lion," "zulu" and the like.

This week he read "Richard Nixon: A Personal and Political Portrait" by Earl Mazo. He said he found no cause for banning this volume, which is to be published by Harper & Bros. on June 23, from the mail. In fact, Mr. Summerfield is one of the cast of characters in the book.

Not "Personal Matter"

The Postmaster General insisted that his ban on "Lady Chatterley's Lover" was not a "personal matter" nor was it "censorship," but was simply an act in the public interest, undertaken in accordance with the law as passed by Congress.

"My job," he said, "is to enforce the law. If Congress wants to change it or broaden it or narrow it, that is their responsibility. Congress can change the statute, if they want to, to let filth go through the mails—but I am sure they do not want to."

In answer to a reporter's question, the Postmaster General said he felt that American reading tastes had declined in his lifetime. But, on the other hand, he deemed it none of his business to lecture the public about it so he made no further comment on the subject.

The heart of his ruling against "Lady Chatterley's Lover" was that it is "replete with descriptions in minute detail of sexual acts," described in "filthy, offensive and degrading words."

In the interview he said that D. W. Lawrence did with words what purveyors of lewd photographs do with cameras and that, therefore, the book had no more right in the mails than such pictures have.

Favorable Response

"When the people of this country are being outraged by the members of their families being exposed to this obscenity through use of mails," he said, "we have the responsibility to hear the complaints of the mothers and fathers, to investigate their charges and to proceed to enforce the law."

During the last year particularly, Mr. Summerfield related, the Post Office has been making "an all-out effort to enforce to the letter the elimination of pornographic material from the mail."

He described as "terrific" the favorable response he has been getting from Congress, churches, the press, parents and school groups.

The whole question of juvenile delinquency in this country is growing more serious by the day and by the hour, and one of the important contributing factors is the obscene and pornographic material that is distributed in one way or another. This is a problem that the people of America must recognize and correct."

Observing that the unexpurgated edition of "Lady Chatterley's Lover" had already been banned in this and other countries for twenty-eight years before his ruling, he said:

"I didn't ask to have this book brought in here. The publishers forced a decision by attempting to mail it in New York City while they had already begun distributing copies by other means."

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Store at Airport Bars 'Chatterley'

By Luther P. Jackson
Staff Reporter

The bookshop concession at Washington National Airport has stopped selling "Lady Chatterley's Lover" after an inquiry from the Airport management office.

Lucius W. Burton, airport director, said yesterday the Airport Bookshop Co. had decided to discontinue sales of the controversial D. H. Lawrence novel at its airport store. The company, which also has stores at Chevy Chase and Dupont Circle, operates at the Federal installation under a lease which expires in two years.

Grant Rasmussen, store manager at the airport, said that Burton's assistant, Paul F. Steiner, had told him not to sell the book in the store. Rasmussen said he had sold out of the novel but had placed an order for more copies.

Burton, however, said that Steiner had merely asked Rasmussen to check with the management as soon as new copies arrived. Burton added that he had wanted to discuss the novel with the booksellers.

As director of the airport operated by the Federal Aviation Agency, Burton said he has the statutory authority to ban from the concession any book which has been found legally obscene. The only official notice so far that the book is obscene is Postmaster General Arthur E. Summerfield's declaration that it is unfit for the mails.

Samued Yudkin, owner of the bookshop chain, said that he has no complaint to find with the airport management's procedures. He noted, however, that he had sold about 2000 copies of the novel in the three stores.

Meanwhile, the "Lady" was reported to be the best seller at Brentano's concession at the Pentagon. The novel also was reported in demand at the Library of Congress, where all 10 copies are out on loan to Congressmen and their staff members.

A check at District area bookstores shows that many of them do not have the "Lady" in stock. Until Woodward & Lothrop sold out, the book was selling briskly even though it wasn't on the open shelves.

Requests for the novel were not nearly so numerous in the area's public libraries. The District library is offering only the old expurgated edition until the settlement of a suit by the book's publishers, Grove Press Inc. The firm has sought in New York to enjoin Summerfield from barring the book from the mails.

Montgomery and Prince Georges' librarians have only one copy of the book. There are no copies available in the libraries of Fairfax, Arlington and Alexandria.

Fairfax' Charlotte W. Fleck said that the requests for the "Lady" have not approached the demand for such novels as "Dr. Zhivago," "Lolita" or "The Nun's Story."

Norma Blazer of S. Kann Sons Co. reported that the book is not a best seller in her shop, even though it is a sell-out. She said the novel can not approach the sales of "The Ugly American" or the non-fiction "How I Turned $1000 Into A Million."

OGROVE PRESS INC.

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GROVE PRESS INC.

Lady Chatterley's Critics

Of the unexpurgated edition of "Lady Chatterley's Lover," the Postmaster General writes—

The contemporary community standards are not such that this book should be allowed to be transmitted in the mails.

The book is replete with descriptions in minute detail of sexual acts engaged in or discussed by the book's principal characters. These descriptions utilize filthy, offensive and degrading words and terms. Any literary merit the book may have is far outweighed by the pornographic and smutty passages and words, so that the book, taken as a whole, is an obscene and filthy work.

Accordingly, I find that the book "Lady Chatterley's Lover" . . . is obscene and nonmailable. . . ."

Of the same edition of "Lady Chatterley's Lover" Archibald MacLeish, poet, playwright and former Librarian of Congress, writes—

Only those to whom words can be impure per se, or those to whom "certain subjects" cannot be mentioned in print though they are constantly mentioned in life, or those to whom certain fundamental and moving facts of human experience are "nasty" could conclude on the evidence of the text itself that "Lady Chatterley's Lover," as Lawrence wrote it, is obscene.

. . . There's no dirt for dirt's sake in "Lady Chatterley's Lover." . . . No responsible critic would deny the book a place as one of the most important works of fiction of the century.

There, in a nutshell, you have it. If we are to have censorship, who is to be censor? We have no doubt that a jury of Mr. Summerfield's peers would ban the book. Nor do we have any doubt that a jury of Mr. MacLeish's peers would find it mailable. In the end, some Federal court will attempt to draw the line, as courts have tried to do before. But if we have to weigh the evils of censorship against those of "Lady Chatterley's Lover," the book is the lesser evil.

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Summerfield Cites 'Degrading Words' A-1

Post Office Bars 'Lady Chatterley;' Novel Ruled 'Obscene and Filthy'

United Press International

Postmaster General Arthur E. Summerfield yesterday barred the unexpurgated version of D. H. Lawrence's novel, "Lady Chatterley's Lover," from the U. S. mail on grounds it is an "obscene and filthy" book.

In his ruling Summerfield said any literary merit the book may have is "far outweighed by the pornographic and smutty passages and words."

"The book is replete with descriptions in minute detail of sexual acts engaged in or discussed by the book's principal characters," Summerfield said in his finding. "These descriptions utilize filthy, offensive and degrading words and terms."

Summerfield acted after a hearing had been held in New York last month on the shipment of the newly published edition by Grove Press, Inc.

Summerfield said he read the transcript of the hearing as well as a copy of the unexpurgated edition of "Lady Chatterley's Lover" which has been barred from the U. S. mails since 1928.

Lawrence's novel of a noblewoman's affairs with her gamekeeper is regarded as an English language classic by some critics.

To force a Post Office Department ruling, Grove Press deposited 24 parcels in the mails at the New York City Post Office, each containing one or more copies of the novel.

Summerfield cited a 1957 Supreme Court decision by Justice William J. Brennan Jr., which said that the test of obscenity is "whether to the average person applying contemporary community standards the dominant theme of the material taken as a whole appeals to prurient interests."

Summerfield said he concluded that "the contemporary community standards are not such that this book should be allowed to be transmitted in the mails."

Summerfield also ruled that advertising circulars by Readers Subscriptions, Inc., about the book were non-mailable because they disclosed where copies of the book may be obtained.

(Washington attorneys for the publishers said the Federal District Court for the Southern District of New York was asked late Wednesday to enjoin Summerfield from barring the controversial novel from the mails.)

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'Chatterly' Obscenity Up to Courts

NEW YORK, June 12 (UPI)—The publisher and a distributor of the unexpurgated "Lady Chatterley's Lover" said they were confident today the Federal courts will overthrow the obscenity ruling of Postmaster General Arthur E. Summerfield and permit the 31-year-old novel to be sent thru the mails.

One court action, to enjoin the New York postmaster from interfering with mailing of the book, has already been filed in Federal court here. Grove Press, Inc., the publisher, and the Readers' Subscription, which seeks to distribute the book to its members, said further steps will be taken "to liberate 'Lady Chatterley's Lover' from this intolerable censorship."

Mr. Summerfield ruled yesterday that the D. H. Lawrence classic is "obscene and filthy" and that its literary merits are "far outweighed by the pornographic and smutty passages and words."

The book had been barred from the U. S. mails since 1928 and had been available only in abridged version until publication of the contested edition here last month.

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4 TV Shows Challenged Quiz Report

The Two $64,000 Programs Filed

By Milton Lewis

Challenges by at least four of the TV-quiz programs under investigation by a grand jury caused General Sessions Judge Mitchell D. Schweitzer to impound the panel's presentment, it was learned yesterday.

In all, the grand jury, after numerous allegations of "fix," concentrated on six such shows. Lawyers for two of them—"The $64,000 Question" and "The $64,000 Challenge," both since off the air—readily admitted that they objected to Judge Schweitzer about having the twenty-six-page, 12,000-word report made public. Others made representations on behalf of the defunct "21" and "Tic Tac Dough," now on a daytime telecast.

Protests Made In Private

It was on the basis of such protests, lodged in private, that Judge Schweitzer said in open court Wednesday that he was keeping the presentment sealed. On the face of it, he maintained, the document was "expungeable." He refused to identify the challengers after first saying their identity was a matter of public record.

He then discharged the jury, which had labored since September and which made it plain it was shocked by the judge's action, unprecedented for at least ninety years in New York County, according to official records. In those ninety years almost 500 presentments have been filed in General Sessions, but never has such a finding been ordered impounded. Only one—in 1910—was ordered expunged, but this was after it had been filed and opened for public view.

Judge Schweitzer ruled after Assistant District Attorney Joseph Stone said that the grand jury had "uprooted a tawdry hoax on the American public" and the panel foreman, Louis M. Hacker, former dean of the School of General Studies at Columbia University, pleaded that the report be made available to the public.

As Mr. Hacker continued to

(Continued from page one)

stick to his guns yesterday, it was learned that the board of directors of the Grand Jury Association of New York County, headed by Lee Thompson Smith, discussed the case at its regularly monthly meeting, held at the Uptown Club, 60 E. 42d St.

The association refused to make any immediate comment, since the matter is still before Judge Schweitzer, who has ordered a hearing, saying the burden of proof as to why he should open the presentment rests with the District Attorney. Under law, should Judge Schweitzer maintain his position to expunge the report, his ruling is not appealable. His feeling Wednesday was there was a serious question as to whether he had the legal right to reveal the presentment's contents based on the challenges.

Both James P. Durante and J. Norman Lewis, of the law firm of Lewis, Durante and Bartel, 655 Madison Ave., said that they had challenged the legality of the filing of such a presentment on behalf of "The $64,000 Question" and "The $64,000 Challenge." Mr. Durante filed a brief two months ago with Judge Schweitzer. Among other things, both lawyers alleged yesterday that presentments could only be filed involving public agencies or public officials. This was flatly denied by District Attorney Frank S. Hogan's office.

"Names Calling Technique"

Both lawyers maintained that a presentment has been characterized by the courts as in the nature of hit and run situations. You can't answer them. If you are called a thief (under a specific charge) you can vindicate yourself in court, but if you're named in a presentment you have no recourse. This is a name-calling technique."

Mr. Lewis added:

"We don't know whether our clients were even mentioned in the presentment. We objected to the basic procedure. This was no attempt to cover up any allegations, if any, against our clients."

The other two TV quiz programs under scrutiny were "Dotto" and "Name That Tune," both defunct.

It also was learned yesterday that about ten days ago, almost a dozen members of the grand jury and two assistant district attorneys called on Judge Schweitzer to ask his position on the presentment matter, arguing for acceptance. In open court Wednesday Mr. Hacker, the grand jury foreman, recalled to the judge that he had never told the panel it could not come in with a presentment. The judge agreed with that recollection.

Yesterday, Mr. Hacker emphasized that presentments "go beyond public officials and public offices." He said without giving any details of the sealed report, that it mentioned no names or specific TV quiz shows. He said:

"Indeed, this presentment should be made public for profound moral reasons. Society should be interested in charges of corruption. Only when the facts are revealed can society know the proper steps to take to prevent repetition."

Where the grand jury had heard at least 200 witnesses, it did not hear from Dan Enright and Jack Barry, co-producers of "21," one of whose officials was indicted for perjury. Neither Mr. Enright nor Mr. Barry would sign a waiver of immunity—meaning that whatever they testified to could be used against them. For that reason, they were not allowed to testify, the District Attorney refusing to give them immunity.

Legal historians recalled that grand juries filed presentments—which were made public—in General Sessions even while New York was still a colony. In 1892, there was a presentment dealing with free railroad passes. The one presentment ordered expunged—after being open to public view—was filed in 1910, involving investigation of an ice company.

The grand jury had reported that state Assistant Attorneys General had misled the panel in its inquiry.

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GKR Inc. Press Inc

File 8-Dup 145-1731

145-1731-A
NOT RECORDED
149 JUL 17 1959

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date JUN 12 1959

0-19 (Rev. 1-28-59)

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Summerfield Cites 'Degrading Words'

Post Office Bars 'Lady Chatterley;' Novel Ruled 'Obscene and Filthy'

United Press International

Postmaster General Arthur E. Summerfield yesterday barred the unexpurgated version of D. H. Lawrence's novel, "Lady Chatterley's Lover," from the U. S. mail on grounds it is an "obscene and filthy" book.

In his ruling Summerfield said any literary merit the book may have is "far outweighed by the pornographic anr smutty passages and words."

"The book is replete with descriptions in minute detail of sexual acts engaged in or discussed by the book's principal characters," Summerfield said in his finding. "These descriptions utilize filthy, offensive and degrading words and terms."

Summerfield acted after a hearing had been held in New York last month on the shipment of the newly published edition by Grove Press, Inc.

Summerfield said he read the transcript of the hearing as as a copy of the unexpurgated edition of "Lady Chatterley's Lover" which has been barred from the U. S. mails since 1928.

Lawrence's novel of a noblewoman's affairs with her gamekeeper is regarded as an English language classic by some critics.

To force a Post Office Department ruling, Grove Press deposited 24 parcels in the mails at the New York City Post Office, each containing one or more copies of the novel.

Summerfield cited a 1957 Supreme Court decision by Justice William J. Brennan Jr., which said that the test of obscenity is "whether the average person applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interests."

Summerfield said he concluded that "the contemporary community standards are not such that this book should be allowed to be transmitted in the mails."

Summerfield also ruled that advertising circulars by Readers Subscriptions, Inc., about the book were non-mailable because they disclosed where copies of the book may be obtained.

(Washington attorneys for the publishers said the Federal District Court for the Southern District of New York was asked late Wednesday to enjoin Summerfield from barring the controversial novel from the mails.)

The Washington Post and Times Herald A
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date 6-12-59

145-1731-A
NOT RECORDED
176 JUL 21 1959

62 JUL 21 1959

0-19 (Rev. 1-28-59)

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C-18

Diplomat Blick Ducks Lady Chatterley Issue

Lady Chatterley's fling with the Post Office is a private affair, Washington's vice squad chief said yesterday.

Mollified perhaps by a recent visit to the lady's homeland, Deputy Chief Roy Blick diplomatically washed his hands of D. H. Lawrence's heroine:

"We will cooperate, of course, but we have no jurisdiction over the United States mails."

Summerfield's Ban

Postmaster General Summerfield yesterday banned the 30-year-old classic from the mails. He said whatever literary value it posseses is "... far outweighed by the pornographic and smutty passages and words."

"I understand the book contains some really great writing," was Chief Blick's comment.

Just before he went on tour—England was his first stop—Chief Blick borrowed a copy from a Washington bookseller.

At the time he indicated he might come back with a raiding party if he deemed the book nasty.

Fast Reading

But yesterday Chief Blick said "the book wasn't in my hands for more than an hour.

"After glancing at several pages, I turned it over to the United States attorney's office —I wasn't for or against the book," the globe-trotting vice squad chief explained.

His five-week itinerary included stops at such pitfalls for the unwary as Paris and Rome, but Chief Blick wasn't looking for sin.

"I don't know the laws or the lingo over there," he said. "Besides, this was a vacation, not a mailman's holiday."

145-1731-A-
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62 JUL 21 1959

Felli [redacted] b6 b7C

GROVE PRESS INC.

The Washington Post and Times Herald
The Washington Daily News
The Evening Star C-18
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date JUN 12 1959

0-19 (Rev. 1-28-59)



That Was No Lady; That Was a Wife

By TOM DONNELLY

THE POST OFFICE says "Lady Chatterley's Lover" should not be mailed because it is "obscene" and "offensive." A number of book reviewers, appraising the new unexpurgated Grove Press edition, have called the novel quaint, Malcolm Cowley, the literary critic, testifying at a Post Office hearing as an expert witness for the defense, said "I do not find anything in 'Lady Chatterley's Lover' which I don't find in 'The Ladies Home Journal.'"

Heavens to Betsy! Mr. Cowley is more than an expert witness, he must be an X-ray-eyed reader of lines between the lines. I am inclined to think the celebrated D. H. Lawrence work is a bit on the quaint side myself, but I must confess I never found anything quite like it in The Ladies' Home Journal, not even in the "Can This Marriage Be Saved?" department. To be sure, Mr. Lawrence's sweethearts express their abandon in poetic terms. But nevertheless they use certain four-letter words which have never turned up in The Ladies' Home Journal, except, possibly, in Mr. Cowley's copies.

It is my observation that a writer depicting untrammeled passion for Journal readers knows precisely where to stop . . .

• • •

LADY CHATTERLEY ran out of the manor house in something very like despair. How impossible her husband was being! She was perfectly willing to make allowances for him, considering that he was an invalid, but she really could not bear his constant coldness, his day-to-day pettishness. She had herself overseen the preparation of his milk custard, she knew that it was as delicious as a milk custard could possibly be, and yet Clifford had thrown it on the floor with a vicious snarl. It was scarcely her fault if his physician had forbidden him curry!

"If only there had been a child," Connie Chatterley thought, looking up at the remote azure sky. "How different it might all be."

Connie Chatterley drew up sharp. There he was again! Mellors, the gamekeeper, standing there in all his rude, vibrant maleness. What was there about this man that made her blood tingle, her knees grow weak, her breath come short?

The gamekeeper, his expression inscrutable, took her in his arms. After a kiss that melted her insteps, Connie removed herself from his crushing embrace. "You are afraid of me," he said, in his deep, molten voice.

"No," Connie corrected gently. "Of myself."

"This is not some wild passing infatuation," Mellors said. "Not on my side. This is something that could last. For you, I would defy convention. Have you a coward's heart? It is for you to decide."

Connie looked deep into her heart. She was tempted, tempted as she had never been before. With this man she could indeed carve out a new life. But what kind of a life would it be, based on an abandonment of the man she had promised to cherish, in sickness and in health? Besides, what of Mellors' dowdy little wife and three children? He saw her answer in her eyes, and he paid her the finest compliment a man can pay a woman. "Coward? No. You are braver than both of us. If you said 'yes,' you would have my love. But I see now you would have lost my respect. You would not be the woman I worship."

There were tears in Connie's eyes when she went back to the manor house. But there was also a strange new lightness in her step. She would make Clifford another milk custard. This time she would double the vanilla . . .

62 JUL 21 1959

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145-1731

145-1731-A-
NOT RECORDED
176 JUL 21 1959

The Washington Post and Times Herald
The Washington Daily News 23
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date JUN 10 1959

Dealing With Obscenity Involves Child's Privacy

By MARTIN TOLCHIN

HOW sacred is an adolescent's right to privacy? Should a parent impose his literary judgment on his teen-age children? How may parents divert a youngster from objectionable books?

These are some of the family issues involved in the Post Office Department's recent appeal to parents for help in stamping out the $500,000,000-a-year traffic in obscene and pornographic material.

The department has estimated that between 700,000 and 1,000,000 children will receive unsolicited "filth" through the mails. It asks parents to save all the material received, including envelopes and enclosures and report the matter immediately to the local postmaster.

Another source of official and parental concern is the flood of stag magazines, which carry photographs of scantily clad models, breezy stories, bawdy cartoons and royalty-free "ribald classics." Teen-agers are said to be an important factor in the spectacular growth in the number of these publications.

Definition Is in Doubt

The question of what constitutes obscenity has long been a subject of spirited controversy among lawyers, literary critics, the reading public, and even justices of the Supreme Court of the United States. The current dispute over "Lady Chatterley's Lover," which the Post Office Department is considering banning from the mails, follows similar but unsuccessful attempts against Playboy magazine and several nudist publications.

The Supreme Court has defined obscenity as "material which deals with sex in a manner appealing to prurient interest," as measured by its impact on "the average person," or, if it is intended for a limited audience, the impact of the material on those who see it.

How can a parent cut through the legal and literary controversies and apply common sense to specific situations?

A family life expert, who notes that the law is what the judges say it is, suggested recently that for the purpose of a young reader obscenity was what his parents found obscene. But she strongly counseled against parental infringement of an adolescent's privacy. A mother who is close to her children, the expert advised, will not have to steam open letters or search a bedroom to learn what her youngsters are reading. Adolescents in particular need to feel that the privacy of their mail—and rooms—will be respected by grown-ups.

Frank Talk Is Advised

That is the opinion of Lucille Stein, a psychiatric social worker who is director of parent counseling at the Child Study Association of America.

She said in an interview that the conditions of city living were such that most children reared here came in contact with objectionable material. Mrs. Stein said that this included material that was repeated at third-hand.

Obscene material, she said, is designed primarily to arouse feelings that adolescents are struggling to control.

When a youngster shows an interest in such material, Mrs. Stein believes that a frank talk is in order.

"Admit frankly that there is something stimulating and exciting in this material, but point out that it gives undue importance to the crudely sensational and lacks warmth and understanding."

If an early adolescent persists in reading this material, it should be taken from him, according to Mrs. Stein. She recognizes that parents are running the calculated risk of driving the interest underground.

In the case of older adolescents, she said, there is relatively little that parents can do. But they should continue to express their opinion that the material is "trashy," Mrs. Stein said.

A youngster's preoccupation with obscene or suggestive material may be an indication of his anxieties. In any case, it should alert parents to the possibility that something is amiss, Mrs. Stein observed:

"A child who does anything excessively is indicating that he has unresolved inner problems."

On the other hand, parents should not become upset by an occasional interest in objectionable material, Mrs. Stein noted.

62 JUL 21 1959

Mr. Tolson
Mr. Belmont
Mr. DeLoach
Mr. McGuire
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C.Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

b6
b7C

File 6

CLIPPING FROM THE
N.Y. TIMES
EDITION LATE CITY
DATED 6/6/59
PAGE 15
FORWARDED BY NY DIVISION

RE: POST OFFICE DEPARTMENT ITOM

BUFILE-
GROVE PRESS INC.

105-1731-A-
NOT RECORDED
176 JUL 21 1959

EX 101

SAC, Chicago (145-25)

July 15, 1959

REC-73 Director, FBI (145-1731)

GROVE PRESS
ET AL.
ITOM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/27/89 BY SP1AG/jc
(309,329)

Reurlet dated July 9, 1959, transmitting to the Bureau one copy of the book entitled "Lady Chatterley's Lover."

This book will be maintained in the FBI Laboratory. No further investigative activity concerning possible interstate transportation is desired at this time. Any information in this regard which may be volunteered to you should, of course, be accepted.

Grove Press and Readers Subscription, Inc., are endeavoring to upset the ban placed by the Postmaster General on the mailing of the book. The New York Office is following the results of that action.

MAILED 8
JUL 15 1959
COMM-FBI

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by Int
Per FOI Request

57 JUL 21 1959

MAIL ROOM TELETYPE UNIT

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Memorandum · UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (145-1731)
(Attention: FBI Laboratory)

DATE: July 9, 1959

FROM : SAC, CHICAGO (145-25)

SUBJECT: GROVE PRESS AND EVERGREEN BOOKS,
Published By BARNEY ROSSET,
Grove Press, Incorporated, 795
Broadway, New York City, New York
ITOM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/27/89 BY SP1AG/jac
(309,329)

~~311946.~~

Re Bureau letter from the FBI Laboratory to Chicago dated May 28, 1959.

Enclosed herewith as per referenced letter is one copy of the book entitled "Lady Chatterley's Lover" by D. H. LAWRENCE, in an unexpurgated edition by Grove Press and Evergreen Books.

This book, as instructed by the FBI Laboratory, was purchased by SA AUGUST C. KEMPFF of the Chicago Division from the Economy Book Store, North Clark Street, Chicago, without revealing his identity.

2-Bureau (Encl. 1) C R M.
1-Chicago

ACK:mao
(3)

Evidence detached + added to O.F. 7/14/59 mm

145-1731

EX 101

REC-73 145-1731-4

16 JUL 13 1959

SEVENTY

Deleted Copy Sent Peter Lyons
by Letter 6/13/12 - ek
For FOIA Request

INDEXED - EXEC - W

INDEX-LAB FILES

ltr to CG 7-15-59 QRS/jmp

STANDARD FORM NO. 64

Office Memorandum · UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 7/24/59

FROM : SAC, NEW YORK (145-549)

SUBJECT: GROVE PRESS, Et Al
ITOM

ReBulet dated 7/6/59.

The New York "Daily News" of 7/22/59, carried an article stating that Federal Judge FREDERICK VAN PELT BRYAN yesterday ruled that "Lady Chatterly's Lover" is not obscene. The article stated the Judge agreed with a US Supreme Court ruling last month ruling the movie version is also not obscene. BRYAN was to sign an order restraining the Government "from denying the mails to this book or to the circulars announcing it's availability."

In view of the above, no investigation is being conducted by the NYO and this case is being closed.

Deleted Copy Sent [redacted]
by Letter [redacted]
Per FOIA Request

REC- 90 145-1731-5

2 - Bureau
1 - New York (145-549)

JUL 28 1959

CGD:mep
(3)

63

57 JUL 31 1959

0-19 (Rev. 1-28-59)

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U. S. Judge Questions 'Chatterley' Mail Ban

NEW YORK, July 1 (AP).— A Federal judge has questioned the right of the Postmaster General to bar the unexpurgated edition of "Lady Chatterley's Lover" from the mails.

Judge Frederick Van Pelt Bryan reserved decision yesterday on a plea to upset the ban, which was imposed June 11.

Judge Bryan said he was "very seriously concerned" whether Postmaster General Arthur L. Summerfield had authority to impose the ban on the novel.

The Grove Press, Inc., which published the new American edition, claims the Summerfield decision deprived the publisher of the constitutional rights of freedom of speech and freedom of the press.

The edition, the first uncut version of D. H. Lawrence's novel to be circulated in America, was declared to be obscene in the Summerfield decision.

Challenged by Club

The ban is also being challenged by Readers Subscription, Inc., a book club.

The book is selling briskly through bookstores supplied by private shippers, who don't use the mails.

The novel deals with a love affair between an English gentlewoman, Lady Constance Chatterley, and the gamekeeper on her husband's estate. Her husband is sexually impotent because of a war wound.

Lou dlaughter interrupted a three-hour court hearing yesterday when Judge Bryan commented that he had "read the book with very considerable care; in fact, I re-read it. The first time I read it was 25 years ago."

During the hearing United States Attorney S. Hazard Gillespie, jr., said that Mr. Summerfield "considered all the facts in the case, and we believe that his decision should not be disturbed."

Called 'Common Tramp'

"The central theme of this book," the Government lawyer added, "is illicit love outside of the bounds of matrimony. You have got here in this book a central theme revolving around a woman who is a common tramp."

Charles Rembar, counsel for Grove, said that if the book has "any socially important ideas it has every right to the full protection of constitutional guarantees, and to be seen by the American public."

Mr. Rembar described it as a book "just full of ideas," and said that "whether or not you agree with D. H. Lawrence, he really had something to say to the public."

The attorney for the publisher added that Lawrence was "waving a banner against emotional and sexual approach to love and arguing that such approach should be healthy and not morbid."

The movie version of the story, also called "Lady Chatterley's Lover," figured in another court case this week. On Monday the United States Supreme Court ruled unconstitutional a section of New York State's movie censorship law. Specifically, the ruling invalidated a ban on the movie version of the book.

INC.

File 6-JCB

REC- 15 145-1731-A-
EX-133 RECORDED
1/0 JUL 21 1959

7/6/59 JUL 2 1959

The Washington Post and Times Herald
The Washington Daily News
The Evening Star ✓
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date 7/1/59

0-19 (Rev. 1-28-59)

S.T. esa



Has There Been Any Word From Boston?

By TOM DONNELLY

WHEN I saw the controversial film version of "Lady Chatterley's Lover" right here in town, a good many months ago, it never occurred to me that the movie was "teaching adultery." That just shows you how naive I am. I must take what comfort I can from the fact that several hundred other Washingtonians who saw the movie here also didn't realize, apparently, what inflammable stuff was being unreeled before them. Practically nobody seemed to get the real message.

But then "Lady Chatterley's Lover" got to that capital of respectability, New York City, horrified the New York State Board of Regents and the Court of Appeals, and the Supreme Court had to be called in. As you know, the Supreme Court, after gravely weighing the ins and outs of the matter, came to the conclusion that adultery is just an idea, like socialism or the single tax, and that advocacy of ideas comes under the heading of free speech and is protected by the First Amendment. As Justice Potter Stewart put it, "What New York has done, therefore, is to prevent the exhibition of a motion picture because that picture advocates an idea—that adultery under certain circumstances may be proper behavior. . . . The State, quite simply, has thus struck at the very heart of constitutionally protected liberty."

This decision didn't go down well with many people, especially David Lawrence, who seems to feel that the Supreme Court, guilty in his opinion of numerous recent sins, has really surpassed itself in this saying, "in effect, that it is lawful to teach adultery."

I personally feel sorry for the beleaguered Court, which has to decide on so many thorny issues, and has been pushed by the crush of events into rendering a decision which was bound to come out sounding rather silly, no matter how well worded. I suppose the Court couldn't have simply said that "Lady Chatterley's Lover" is nothing to get all hot and bothered about in 1959, and let it go at that. Justice Frankfurter intimated as much, but the peculiar necessities of his office apparently prohibited him from keeping his pronouncement crisp. At all events, the Court has laid itself wide open to all sorts of charges, and prophecies, like "The next thing you know they'll be saying it's o.k. to teach a course in adultery in our public schools, right in between driver training and geography."

But does "Lady Chatterley's Lover" teach adultery? I will answer that with another question, evasive fellow that I am. Does "Romeo and Juliet" teach suicide? A literal-minded man might insist that "Lady Chatterley's Lover" only teaches that it is permissable for an English lady who happens to be married to an incapacitated gentleman to practice adultry with a gamekeeper of poetic temperament. It isn't every U.S. matron who could meet those qualifications, and few in England. And let us not forget Eugene O'Neill's "Strange Interlude," which was also made into a film, and covered roughly the same ground. As I recall, nobody ever claimed that "Strange Interlude" was teaching adultery. I should say that there are two characteristics which marked the O'Neil era, and do not mark our own. In those happy golden days every piddling issue didn't wind up in the Supreme Court, and nine out of ten novels didn't take place in the bedroom. If public opinion today is dead set against adultery, who's buying those tons of best sellers?

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OGROVE PESS INC.

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176 JUL 22 1959

The Washington Post and Times Herald
The Washington Daily News 25
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date JUL 16 1959

File 8. Brits

174
23 JUL

Director, FBI 10/30/59

SAC, Memphis (62-923)

CRIMINAL - CRS GROVE PRESS

Re: AMERICAN LEGION CRUSADE AGAINST OBSCENE LITERATURE

The October 29, 1959 issue of the Memphis Press Scimitar reports that Post # 1 of the American Legion, Memphis, Tennessee, the largest Legion Post in Tennessee and one of the largest in the Nation, is conducting a crusade against obscene literature and has taken out after the newly released, unexpurgated edition of D. H. LAWRENCE'S "LADY CHATTERLY'S LOVER."

A Legion committee hopes to have banning of "Lady Chatterly's Lover" and books like it a major project of all Legion posts.

C. P. J. MOONEY, Attorney, drafted a resolution for a five-member committee, and copies will be sent to ARTHUR E. SUMMERFIELD, Postmaster General; Commissioner CLAUDE ARMOUR, Sheriff M. A. HINDS, and to congressmen.

The resolution says membership of Post No. 1 and other Legionnaires are "urged to express their resentment of the distribution of this obscene material and to do everything within their lawful power to obstruct the passage of such matter into the hands of the public, particularly the portion thereof designated as juvenile."

HUBERT J. CURRY, real estate man, is committee chairman. Members are State Senator TOM P. MITCHELL, Rev. PORTER F. FLORENCE, Rector of Holy Trinity Episcopal Church; LEONARD D. PIEROTTI, attorney and a past commander of the post, and JACK LITTLE, former chief of the Legion's National Public Relations Division, now public relations director for Post No. 1.

145-1731

3 - Bureau Personal Carry Spot

2 - Memphis

ECR:EEM
(5)

REC-19 145-1731-6

NOV 10 1959

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (309,329) DATE: August 16, 1960

FROM : Legat, London (64-941)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 4/27/89 BY SPIAG/uc

SUBJECT: REQUEST FOR INFORMATION FROM BRITISH OFFICE OF PUBLIC PROSECUTION
PC - FM

On August 16, 1960, [redacted] from the Office of Public Prosecution, contacted Legat for information concerning court case in the United States involving United States Post Office and the book by D. H. LAWRENCE entitled "Lady Chatterley's Lover." b6 b7C

In England the Office of Public Prosecution is the organization presenting cases before the government and is similar to our office of the United States Attorney in the United States. [redacted] b6 b7C b7D

[redacted] stated that in the very near future his office will be taking a case into the British courts which is concerned with whether this book will be able to be published and sent through the mails in England. In this regard he has noted in the British press that the issue regarding the book has been decided in United States courts and he quoted a United States District Court, Southern District of New York decision dated July 21, 1959 under Civil Docket 147-87. This case was between Grove Press, Inc., and Readers Subscription, Inc., vs. ROBERT K. CHRISTENBERRY, Postmaster, City of New York. b6 b7C

[redacted] believes that after the District Court's decision this case was taken up with the United States Court of Appeals and he is most desirous of obtaining any information available concerning this matter so that he can have guidance in presenting his case here in England. b6 b7C

As a matter of cooperation it is requested that the Liaison Section contact the Post Office for transcripts of the trial to at least include transcript of the opinions and decisions so that they can be furnished to [redacted] stated this case comes into court in early September and expeditious handling of this request would be most appreciated by his office. b6 b7C

P
3 - Bureau
1 - London (64-941)
ACM: MAH

52 AUG 31 1960

To London 8/24/60 by 5-45 REC-42 45-1231-1
(2) Federal Expartes Second Series dated 5/30/60
and US District Court Southern District of NY
against Robt. K. Christenberry Individually & as Postmaster of NYC.

12 AUG 19 1960

LIAISON

EX-RR

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: September 26, 1960

FROM : Legat, London (64-941)

SUBJECT: REQUEST FOR INFORMATION FROM
BRITISH OFFICE OF PUBLIC PROSECUTION
PC - FM

145-1731-7

Remylet August 16, 1960.

The information furnished by the Bureau as requested in my reflet was given to [redacted] of the Office of Public Prosecutions, London, who contacted this office on September 23 and advised that in connection with the forthcoming case involving D. H. LAWRENCE's "Lady Chatterley's Lover", the Office of Public Prosecutions were interested in obtaining copies of "The First Lady Chatterly", which was published in the United States in 1944. He advised that it would be helpful if 12 copies of book could be obtained.

It is requested that the Bureau make inquiry to determine if copies of "The First Lady Chatterly" are available. If so, it is requested that 12 copies be obtained and furnished to this office. It is also requested that this office be advised whether any expense is involved, as the Office of Public Prosecutions will stand the cost.

b6
b7C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE MAR 1 9 1980 BY 1765 SP/CH
Comp II 387, 535
389, 714

4 - Bureau
1 - London

CWB:ec
(5)

REC- 98 145-1731-8

5 SEP 30 1960

5 0 DEC 7 1960

0-19 (Rev. 1-11-60)

NY

GROVE PRESS INC.

'Lady Chatterley' Faces Jurors

By Robert E. Baker
European Bureau
The Washington Post

LONDON, Oct. 20 — "Lady Chatterley's Lover" came home for trial today after 30 years of exile.

The scene was an oak-paneled court room of Old Bailey, the central criminal court in London.

The defendant is Penguin Books, Ltd., which has published 200,000 paper-back copies of the unexpurgated edition of "Lady Chatterley's Lover" priced at 50 cents a copy. None have yet been put on sale.

The novel by D. H. Lawrence is about the wife of a paralyzed war veteran and her sexual affairs with her husband's gamekeeper. Written in 1928, two years before Lawrence's death, the unexpurgated version has always been banned in England as obscene.

Penguin Books now is testing the new Obscene Publications Act of 1959 which permits publication of articles, even if obscene, if justified as being for the public good on the grounds that it is in the interest of science, literature, art or learning.

Language Cited

At one point today, Mervyn Griffith-Jones, prosecuting for the Crown, pronounced loudly and clearly several of what he called "good old Anglo-Saxon, 4-letter words" which Lawrence used in the book, and detailed the number of times each was used.

Griffith-Jones asked the jury of nine men and three women not to judge the book "in a priggish, high-minded, super-correct, mid-Victorian manner." Nevertheless, he said, the book is a "vicious indulgence in sex and sensuality in which the curtain is never drawn."

"Would you approve of your young sons and young daughters reading it? Is it a book you would have lying around in your own house? Is it a book you would even wish your wife to read? Or your servant?" he asked the jury.

Calls Novel Obscene

He said the book tended to "deprave and corrupt" and therefore was obscene.

Gerald Gardiner, one of Britain's top-priced attorneys, who is representing Penguin, conceded that "You will, when you read this book, be shocked, you may be disgusted."

But, he said, Lawrence was a moralist who made it plain in the book that he hated promiscuous sex and was a clear supporter of marriage. And there was nothing of sexual perversion, now so prevalent in England's Sunday newspapers, in "Lady Chatterley's Lover," Gardiner said.

As for those 4-letter words, he said, Lawrence was trying to drag them out of the shameful connotation they received in Victorian times.

"Do you know any civilized country where Lady Chatterley's Lover cannot be bought, except in Lawrence's Commonwealth?" he asked.

Jury Ordered to Read

Prosecutor Griffith-Jones lost a round when the judge refused to let him point out to the jury the various passages in the book which the Crown believes obscene. The judge ruled the jury should first read the book as a whole.

And Gardiner lost a round when the judge rejected his suggestion that the jury be allowed to take the books home with them. The judge ruled they should report daily to the jury room to do their reading.

The unexpugated version of "Lady Chatterley's Lover" was banned from the United States mail by Postmaster General Arthur E. Summerfield in June, 1955. But a New York Federal judge a month later held that the book was not obscene and, last March, a U. S. Court of Appeals ruled likewise.

Tolson
Mohr
Parsons
Belmont
Callahan
DeLoach
Malone
McGuire
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Ingram
Gandy

b6
b7C

145-1731-A
NOT RECORDED
149 OCT 25 1960

The Washington Post and Times Herald A-7
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date 10/21/60

5 cy File

145-1731

278

52 OCT 25 1960

1-Orig
1-Yellow
1-Liaison

October 18, 1960

CODE

CABLEGRAM

URGENT

REC 16

145-1731-9

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE MAR 19 1990 BY 1565 SDP/CH
Comp # 309,535
309, 716

TO LEGAL ATTACHE LONDON

FROM DIRECTOR FBI

REQUEST FOR INFORMATION FROM BRITISH OFFICE OF PUBLIC PROSECUTION, PC DASH FM. REURCAB OCTOBER ONE SEVEN, LAST. NEW YORK HAS ADVISED ONLY NINE COPIES OF BOOK AVAILABLE. THEY HAVE BEEN OBTAINED AND ARE BEING FORWARDED BUREAU. COPIES WILL BE FURNISHED YOU EXPEDITIOUSLY.

NR. 545
ENC. 0 0
T.U. Emy
APPROVED BY
TYPED BY

REP: jas (4)

1 - Foreign Liaison Unit (detached)

NOTE ON YELLOW:

This matter is being handled as a matter of police cooperation with British authorities, who requested Legat to attempt to obtain 12 copies of "The First Lady Chatterly" published in the U.S. in 1944, in connection with their forthcoming case involving D.H. Lawrence's "Lady Chatterley's Lover." This cable being sent via State Department leased line at no cost to the Bureau.

Tolson
Mohr
Parsons
Belmont
Callahan
DeLoach
Malone
McGuire
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Ingram
Gandy

CABLE

OCT 18 1960
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
5:50 P

MAIL ROOM ☐ TELETYPE UNIT ☑

DEC 7 1960

(1-3 (Rev. 7-11-60)

DECODED COPY

☐ Airgram ☒ Cablegram

Tolson
Mohr
Parsons
Belmont
Callahan
DeLoach
Malone
McGuire
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Ingram
Gandy

URGENT 10-17-60

TO DIRECTOR Globe Press, Inc.

FROM LEGAT, LONDON NO. 119

b6
b7C

REQUEST FOR INFORMATION FROM BRITISH OFFICE OF PUBLIC PROSECUTION, PC-FM. REMYLET SEPTEMBER 26 LAST. TRIAL TO START OCTOBER 20 NEXT. BUREAU REQUESTED TO ADVISE BY CABLE IF BOOKS ASKED FOR IN RELET ARE AVAILABLE AND IF AVAILABLE TO HAVE THEM SHIPPED TO THIS OFFICE AMSD.

CHARLES W. BATES

RECEIVED: 10-17-60 4:01 PM ECD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE MAR 19 1990 BY 1565 SP/CH
Copy # 309,535
309,716

Per call to NYO 10/18/60, SA [redacted] advised SA [redacted] that 9 copies had been obtained and were being sent to Bureau

b6
b7C

TX 109 REC-16

Cable to London REP/jas 10-18-60

Follow-up cable to London REP/jas 10-19-60

145-1731-9

ORIG: MR. PARSONS FOR DIRECTOR
CC: MR. BELMONT
CC: MR. L. V. BOARDMAN

7 OCT 20 1960

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

1 - Orig
1-Yellow
1-Liaison
CODE

October 19, 1960

CABLEGRAM

URGENT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE MAR 1 9 1990 BY 1565 SDP/CM
Comp # 309,535
309,716

TO LEGAL ATTACHE LONDON

FROM DIRECTOR FBI

REQUEST FOR INFORMATION FROM BRITISH OFFICE OF PUBLIC PROSECUTION, PC DASH FM. REBUCAB OCTOBER ONE EIGHT, LAST. NINE COPIES OF QUOTE THE FIRST LADY CHATTERLY UNQUOTE FORWARDED YOUR OFFICE BY AIRMAIL TODAY. TOTAL COST WAS THREE TWO DOLLARS, FOUR FIVE CENTS.

NR. 547
ENC.
CK.
APPROVED BY
TYPED BY

REP: jas (4)

1 - Foreign Liaison Unit (detached)

NOTE ON YELLOW:

Copies being sent as matter of cooperation with British authorities who requested they be obtained in connection with forthcoming trial involving D. H. Lawrence's "Lady Chatterley's Lover" due to start October 20, 1960. Legat asked that he be advised of the cost. This cable being sent via State Department leased line at no cost to the Bureau.

REC. 16 145-1731-10

OCT 20 1960

Tolson
Mohr
Parsons
Belmont
Callahan
DeLoach
Malone
McGuire
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Ingram
Gandy

CABLE

DEC 7 1960

OCT 19 1960
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

4:12 PM

MAIL ROOM TELETYPE UNIT

FD-36 (Rev. 12-13-56)

FBI

Date: 10/18/60

Transmit the following in _____ (Type in plain text or code)

Via AIRTEL (Priority or Method of Mailing)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 12-19-1980 BY 1545 SP/CH Comp # 309,535 # 309,716

TO: DIRECTOR, FBI
ATTENTION: LIAISON SECTION

FROM: SAC, NEW YORK (64-1971) GROVE PRESS, et al

RE: REQUEST FOR INFORMATION FROM BRITISH OFFICE OF PUBLIC PROSECUTION

Re Bureau routing slip 10/4/60. 145-1731

Under separate cover, are nine copies of "The First Lady Chatterly", published by the Dial Press in 1944. These are only readily available copies of book and the cost was $32.45, which has been paid from NYO funds.

RUC

4-Bureau
(1-Attn: Liaison Section)
1-Package (~~Railway Express~~) RM - RRR
1-NY 64-1971

JHD:MGH
(7)

REC-25 145-1731-11

15 OCT 19 1960

EX-108

b6
b7C

Deleted Copy Sent _____
by Letter _____
Per FOIA Request

5 DEC 7 1960

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

DEC 20 1960

OPTIONAL FORM NO. 10
5010-104

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
ATTN: FBI LABORATORY

DATE: 10-26-61

FROM : SAC, CHARLOTTE (145-NEW)

SUBJECT: UNKNOWN SUBJECT, dba Grove Press, Inc., New York, N. Y.;
[redacted], dba [redacted], N. C.
ITOM

379755

b6
b7C

Enclosed for the Bureau is one copy of a paperback edition of the book "Tropic of Cancer", written by HENRY MILLER.

Chief L. F. WORRELL, Fayetteville, N. C., PD, advised on 10-20-61, his department had confiscated over 160 editions of the enclosed book from magazine retail outlets in the Fayetteville, N. C., area on 10-19-61, and he considers the contents of the book obscene. Although he has not read the book, a cursory examination revealed several passages of an obscene nature, and in particular, Page 5 seems extremely obscene.

The book was distributed in this area by [redacted] N. C., owned and operated by [redacted] Chief WORRELL has determined these books arrived in Fayetteville by Railway Express; however, he has no further information concerning their distribution.

b6
b7C

The FBI Laboratory is requested to review the enclosed book to ascertain its obscene character.

New York is requested to furnish Charlotte with available background information concerning the Grove Press, Inc., New York, NY, and its publication and distribution of instant book.

The enclosed book should be returned to Charlotte after examination, for return to Chief WORRELL, who will either hold this book with the others confiscated, as evidence, or destroy all copies as need dictates.

3 - Bureau (Encl. 1) (RM)
2 - New York
2 - Charlotte (145-New)
DMM:jho
(7)

COPY & SPECIMENS RETAINED IN LAB FOR LAB ACTION & REPORT

INDEX LAB FILES

MCT 4 30
REC-53
145-2426-1
OCT 30 1961

b6
b7C

EX-102

Let SAC Ce
11/21/61
JAC:pkl

Deleted Copy Sent by Letter Per [illegible]

SAC, Charlotte (145-New) 11/21/61

REC-124
Director, FBI (145-2426)

UNKNOWN SUBJECT, DBA GROVE PRESS, INC., NEW YORK, N. Y.;
[redacted] DBA [redacted], N. C.
ITOM

b6
b7C

Re Charlotte letter 10/26/61.

For the information of both offices, in the past copies of the book, "Tropic of Cancer" by Henry Miller have come to the attention of the Bureau. However, to the Bureau's knowledge no prosecution has been initiated concerning the book as being transported in violation of Title 18, U. S. Code, Sections 1462 and 1465.

You are further advised that this book has not been furnished to the Department in the past for an opinion as to its being a suitable vehicle for prosecution under the ITOM Statute.

For your information, the Department has furnished the following as a guide concerning the obscenity of books under investigation in ITOM cases. In the U. S. Supreme Court decision in case of Roth vs. United States, 354 U. S. 476, the Court set out as a standard for judging obscenity whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appears to the prurient interest.

The Department has expressed the opinion that a United States Attorney as a representative of his community and familiar with his contemporary standards is the proper person to decide what may constitute obscenity within his district.

Enclosure

MAILED 4
NOV 21 1961
COMM-FBI

New York
1 - C. W. Brittain

JAC:pab
(7)

Tolson
Belmont
Mohr
Callahan
Conrad
DeLoach
Evans
Malone
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Ingram
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

In view of the above observations, the book "Tropic of Cancer" is not being furnished to the Department for review and decision as to its suitability as a vehicle for prosecution under the ITOM Statute.

It is further called to your attention that this particular book has been the subject of much newspaper publicity in various areas throughout the country occasioned by the seizure of the book by local law enforcement agencies and/or its being banned by same.

In view of the above Departmental observations, the Charlotte Office may desire to discuss the obscenity aspects of "Tropic of Cancer" with the appropriate United States Attorney. Any opinion rendered from the United States Attorney should be brought to the Bureau's attention.

The book submitted by relet is being returned to the Charlotte Office.

OPTIONAL FORM NO. 10
5010-104

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI DATE: 10/18/61

FROM : SAC, CHICAGO (145-new) ATTENTION: FBI LABORATORY

SUBJECT: GROVE PRESS, INCORPORATED;
NORTH SHORE DISTRIBUTORS, INCORPORATED
ITOM

~~87-3056~~ 145-2436-4 8

On October 10, 1961, North Shore Distributors, Inc., 911 Foster Street, Evanston, Illinois, a newspaper and magazine agency, commenced distribution of a paper-back novel, "Tropic of Cancer" by HENRY MILLER. This distribution was made throughout the suburbs north and northwest of Chicago. Chiefs of Police in the communities involved contacted the stores and shops in their areas and requested that the book not be made available to the public as it was of unquestioned obscenity.

Examination of the book disclosed it was copyrighted in 1961 by Grove Press, Inc. was published by the same firm at New York and was described as being manufactured in the United States of America.

The distribution of this book in the Chicago suburban area was brought to the attention of the Chicago Office by Chief MARVIN HORCHER, Wheeling, Illinois Police Department. Chief HORCHER contacted Chiefs of Police in surrounding communities relative to this publication and it was the opinion of all that the book is obscene.

One copy of this book is enclosed herewith for the FBI Laboratory. This copy may be destroyed by the Laboratory as there are sufficient additional copies available in the event of prosecution.

The FBI Laboratory is requested to advise if this publication has been presented for prosecution in other divisions and if it may be considered a suitable vehicle for prosecution under the Interstate Transportation of Obscene Matter Statute.

One newspaper in Chicago indicated "Tropic of Cancer" has been examined by the Department of Justice and it allegedly has been determined not obscene. The FBI Laboratory is requested to advise the Chicago Office if such a determination has been made by the Department.

2 - Bureau (Encl. 1)(RM)
1 - Chicago
HNJ:cme
(3)

EX-115 MCT-23 145-2436-2

ENCLOSURE Sealed (Obscene)

REC-31 11-1-61

11-2

OCT 23 1961

SEVEN

Deleted Copy Sent by Letter 6-30-21 Per FOIA Request

INDEX LOS ANGELES

SAC, Chicago 11-1-61

REC-31 145-24[illegible]2

Director, FBI

GROVE PRESS, INC.;
NORTH SHORE DISTRIBUTORS, INC.
ITOM

Reurlet 10-18-61.

This is to advise that the book "Tropic of Cancer" by Henry Miller has not been furnished to the Department in the past for an opinion as to its being a suitable vehicle for prosecution under the ITOM Statute. In the past copies of this book have come to the attention of the Bureau; however, to the Bureau's knowledge no prosecution has been initiated concerning the book as being transported in violation of Title 18, U. S. Code, Sections 1462 and 1465.

For your information, the Department in the recent past has advised that based on the U. S. Supreme Court decision in the case of Roth versus United States, 354 US 476, the standard for judging obscenity is whether to the average person applying contemporary community standards the dominant theme of the material taken as a whole appeals to prurient interests.

The Department has expressed the opinion that a U. S. Attorney, as a representative of his community and familiar with its contemporary standards, is the proper person to decide what constitutes obscenity within his district.

In view of the above observations, the "Tropic of Cancer" is not being furnished to the Department for review and decision as to its suitability as a vehicle for prosecution under the ITOM Statute.

It is further called to your attention that this particular book has been the subject of much newspaper publicity not only in Chicago area but also in Montgomery County, Maryland, where seizures of the book have been made by the local authorities.

The copy of the book submitted by your office is being destroyed by the FBI Laboratory.

1 - C. W. Brittain

JAC:ljg
(5)

Tolson
Belmont
Mohr
Callahan
Conrad
DeLoach
Evans
Malone
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Ingram
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

Delivered Corey Scott
by [illegible]
Per [illegible] request

7-2

Recorded
11/1/61
cet

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NO LAB FILE

Laboratory Work Sheet

Re: Unsub, dba Grove Press, Inc., New York, N. Y.;
[redacted] dba
[redacted], N. C.
ITOM

File # 145-2426-(
Lab. # D-379755 AV

b6
b7C

Examination requested by: Charlotte (145-New) 10/26/61

Examination requested: Document

Date received: 10/30/61
11/13/61

Result of Examination:

Examination by: Brittain

1. Previous books same title + contents
N.I. printing

Specimens submitted for examination

Q1 One pocket-type booklet entitled "Tropic of Cancer"

Copies "Tropic of Cancer" previously received in the Laboratory. However, instant copy, Q1, was not identified as having been printed from plates used to print the previous copies.

RETURN EVIDENCE...

Deleted Copy Sent PETER WEISS
by Letter 6L3/75-3rh
Per FOIA Request

OPTIONAL FORM NO. 10
5010-104

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
(ATTN: FBI LABORATORY)

DATE: 11-15-61

FROM : SAC, NEW YORK (145-549) (RUC)

SUBJECT: UNSUB; dba Grove Press Inc.,
New York, NY; [redacted]
dba [redacted], N.C.
IMOM
OO-CHARLOTTE

b6
b7C

Re Charlotte letter to Director dated 10-26-61.

On 11-8-61, [redacted], Postal Inspector, NYC advised SA AMBROSE W. CONROY that his Department had a pending case on the book "Tropic of Cancer" and the case was submitted to the USA, SDNY for an opinion. The case was subsequently referred to the Justice Department, Washington, D.C. and the Department decided not to prosecute. Accordingly, the Post Office Department closed its case.

b6
b7C

On 11-15-61, AUSA [redacted], SDNY advised the book "Tropic of Cancer" was submitted by the Postal Inspectors for an opinion as to its obsenity and that the matter was referred to the Department for an opinion. AUSA [redacted] said the Department advised it would not prosecute. He stated this decision was rendered via telephone and he has no written communication pertaining to it. He said the case is closed.

UACB, no further investigation is being conducted by the NYO.

(3-Bureau
(1-FBI Laboratory)
2-Charlotte
1-New York (145-549)
AWC/ac
(6)

EX-115

145-2426-3

b6
b7C

EX-116 REC-22 Cards

REC-

NOV 16 1961

Deleted Copy Sent
by Letter 6-28-95
Per FOIA Request

51 NOV 30 1961

OPTIONAL FORM NO. 10
5010-10

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (145-2426) DATE: 12/12/61

FROM : SAC, Charlotte (145-219)(C)

SUBJECT: UNSUB; dba Grove Press, Incorporated
New York, New York;
[redacted], dba [redacted]
[redacted], N. C.
ITOM

b6
b7C

Re Charlotte letter to Bureau 10/26/61; New York letter to Bureau 11/15/61 and Bureau letter 11/21/61.

On 12/5/61 SA [redacted] discussed the obscenity aspects of the book, "Tropic of Cancer" with a Special Assistant to the United States Attorney [redacted], Western District of North Carolina. [redacted] noted that the book was printed by the Grove Press, Inc., New York City and stated prosecution, if desired, should be initiated in New York City, possibly as a violation of the postal laws and declined prosecution in the Western District of North Carolina. [redacted] decision has been confirmed by letter. The USA in EDNC is being contacted for his opinion and Bureau will be advised of results.

b6
b7C

2 - Bureau (145-2426)
1 - New York
2 - Charlotte (145-219)

KSM/jnb
(4)

Ltr to CE 12/27/61 jmc/adw

REC-34

145-2426-4

10 DEC 14 1961

EX-103

Deleted Copy Sent [redacted]
by Letter [redacted]
Per FOI[illegible]

SAC, Charlotte (145-219) 12/27/61

REC- 124

Director, FBI (145-2426) 4

UNKNOWN SUBJECT; dba
GROVE PRESS, INCORPORATED,
NEW YORK, NEW YORK;
[redacted], dba, [redacted]
[redacted], N. C.
ITOM

b6
b7C

Reurlet 12/12/61.

In view of the information set forth in SAC letter 61-71 dated 12/19/61, Section H, "Tropic of Cancer"-ITOM, no further investigation should be conducted and the matter closed.

1 - New York.

JAC:sdw
(5)

Tolson
Belmont
Mohr
Callahan
Conrad
DeLoach
Evans
Malone
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Ingram
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

OPTIONAL FORM NO. 10
5010-104

UNITED STATES GOVERNMENT

Memorandum

b6
b7C

TO : DIRECTOR, FBI (145-2426)
(Att: FBI LABORATORY)

DATE: 12/12/61

FROM : SAC, NEW YORK (145-249)

SUBJECT: UNSUB; DBA GROVE PRESS INC., NEW YORK, N. Y., [redacted] DBA [redacted], N. C.
ITOM
(OO:CHARLOTTE)

b6
b7C

ReNYlet to Bureau, dated 11/15/61, and Buffalo letter to NY, dated 11/17/61, entitled "Tropic of Cancer" by HENRY MILLER, published by Grove Press, Inc., New York, New York, ITOM". (inter-office)

Referenced Buffalo letter enclosed for New York a copy of the book "Tropic of Cancer".

On December 11, 1961, Assistant United States Attorney [redacted], SDNY, advised SA [redacted] that since the Department has ruled there would be no prosecution pertaining to this book, he authorized that the book in the possession of the NYO could be destroyed.

b6
b7C

UACB, the copy of "Tropic of Cancer" in the NYO, will be destroyed under the supervision of the SAC,

(3) Bureau (145-2426)
(1- FBI LABORATORY)
1- Charlotte (Info)
1- Buffalo (145-0) (Info)
1- New York (145-249)

AWC:ds
(6)

REC-12 145-2426-5

EX-105

17 DEC 27 1961

62 JAN 3 1962

Deleted Copy Sent [illegible]
by Letter [illegible]
Per FOIA Request

OPTIONAL FORM NO. 10
5010-104

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (145-2426) DATE: 12/28/61

FROM : SAC, CHARLOTTE (145-219)(C)

SUBJECT: UNSUB; dba Grove Press, Inc., New York, N. Y.; [redacted], dba [redacted], N. C.
ITOM

b6
b7C

Re Charlotte letter to Bureau, 12/12/61.

The Fayetteville, N. C. PD confiscated over 160 editions of the paper back edition of the book "Tropic of Cancer", by Henry Miller, from local news outlets. The book was distributed in this area by Carolina News Co., which company had received the copies from Grove Press, Inc., New York, N. Y.

The New York Div. advised this book was submitted to the Dept. of Justice for an opinion on its obscenity, by the Postal Dept. in New York, N. Y., and the department had advised AUSA [redacted], SDNY, it would not prosecute.

b6
b7C

On 12/18/61, USA ROBERT COWEN, EDNC, Raleigh, N. C., advised SA [redacted] he would not consider prosecution in this matter. He felt any desired prosecution should be initiated in New York, N. Y. for violation of postal laws.

b6
b7C

In view of Mr. COWEN's declination, no further investigation will be conducted, and this case is closed.

2 - Bureau
1 - New York (145-249)(Info)
1 - Charlotte
DMM:mtl
(4)

REC-71 145-2426-6

25 DEC 29 1961

EX-113

Deleted Copy Sent
by Letter
Per FOIA Request

51 JAN 4 1962

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1352849-0

Total Deleted Page(s) = 1
Page 10 ~ Referral/Direct;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXXXX

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-107

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 5/20/65

FROM : SAC, DETROIT (145-New) (P)

SUBJECT: HENRY MILLER, Author
of Books, entitled
The Rosy Crucifixion
Sexus Book I and The
Rosy Crucifixion
Sexus Book II, published
by the Greenleaf Classic
Publishing Company and
The Rosy Crucifixion Sexus
Book I and Book II in one
Complete Volume, published
by the Grove Press
ITOM

b6
b7C

On 5/7/65, Inspector [redacted], Officer [redacted] and Detective [redacted] Censor Bureau, Detroit, Michigan, Police Department Headquarters, stated that during the months of April and May, 1965, the City of Detroit has been receiving numerous pocketbook editions of the following books:

The Rosy Crucifixion Sexus Book I

The Rosy Crucifixion Sexus Book II

The Rosy Crucifixion Sexus Book I and Book II
(complete in one volume)

145-3338-1

These books were written by HENRY MILLER. The Greenleaf Classic Publishing Company has two books on The Rosy Crucifixion whereas the Grove Press has both books in one volume.

All Evanston ILL

The above police officers stated that they have carefully reviewed these books and, in their opinion, are considered to be obscene. They are presently being distributed and sold throughout bookstores, magazine stands and drugstores in the greater Detroit area.

REC-9 145-0-15378

b6
b7C

6-2

11 MAY 24 1965

(2) - Bureau (Enc.-3)
3 - Detroit
(1 - 80-517)
CHK/pam
(5)

LETTER TO AAG VINSON 6/11/65

Deleted Copy Sent
by Letter
Per FOIA Request

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

DE 145-New

On 5/11/65, SA CHRISTOPHER H. KOKOLAKIS of the Detroit FBI Office purchased these books which are enclosed for the Bureau.

For the information of Inspector [redacted] and the Detroit Office, it is requested that the Bureau advise if a Departmental opinion concerning the obscenity of these books has been given.

b6
b7C

MCT def 145-3338-1

REC-9 145-0-1

Mr. Fred M. Vinson, Jr.
Assistant Attorney General

June 1, 1965

Director, FBI

1 - [redacted] b6 b7C

THE GREENLEAF PUBLISHING COMPANY;
GROVE PRESS, INCORPORATED
INTERSTATE TRANSPORTATION
OF OBSCENE MATTER

Enclosed herewith under obscene cover are two paperback books entitled "The Rosy Crucifixion, Sexus Book I" and "The Rosy Crucifixion, Sexus Book II" written by Henry Miller and published by the Greenleaf Publishing Company, Evanston, Illinois. Also enclosed is one paperback book published by Grove Press, Incorporated, New York, New York, entitled "The Rosy Crucifixion," which reportedly contains both the above-described books in one volume.

Books similar to those enclosed are presently being sold at various retail outlets in the Detroit, Michigan, area. It is requested these books be reviewed to determine if they are suitable vehicles for prosecution under Federal statutes prohibiting the interstate transportation of obscene matter. It is also requested that this Bureau be advised of the Department's opinion in this regard. Investigation of the interstate transportation of these books will be held in abeyance pending receipt of the Department's opinion.

Enclosures (3)

MAILED 25
JUN 1 - 1965
COMM-FBI

JOK:pah
(4)

NOTE: Henry Miller is a highly controversial author who has written several books highly critical of society containing obscene passages. His most publicized work was "Tropic of Cancer" which the Department previously reviewed and determined was not a suitable vehicle for Federal prosecution. The enclosed books, the Rosy Crucifixion, Sexus Book I and Sexus Book II, are similar to Miller's other works in that he

NOTE CONTINUED PAGE TWO.

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

JUN 9 1965

MAIL ROOM ☐ TELETYPE UNIT ☐

NOTE: (continued)

continues to flaunt morals and convention. These books are replete with highly obscene passages wherein Miller describes various sexual activities including perversion in the most lewd terms possible. Inasmuch as these books will obviously become the center of public controversy in various parts of the country, they are being referred to the Department for review to determine if they fall within the guidelines presently used by the courts in determining obscenity. It appears the enclosed are the first American publications of these books. Distribution will probably be nationwide.

SAC, ~~Denver~~ DETROIT 6/3/65

Director, FBI

(0)

IL CREPUSCULAR PUBLISHING COMPANY; EVANSTON, ILLINOIS
GROVE PRESS, INCORPORATED NEW YORK, NEW YORK

ReDEllet dated 5/20/65, captioned "Henry Miller, Author of Books, Entitled The Rosy Crucifixion Sexus Book I and The Rosy Crucifixion Sexus Book II, Published by the Greenleaf Classic Publishing Company and The Rosy Crucifixion Sexus Book I and Book II in one Complete Volume, Published by the Grove Press, ITSP."

For information of Chicago and New York, with referenced letter, Detroit submitted copies of "The Rosy Crucifixion Sexus Book I" and "The Rosy Crucifixion Sexus Book II" written by Henry Miller and published by the Greenleaf Publishing Company, Evanston, Illinois, and the book entitled "The Rosy Crucifixion" published by Grove Press, Inc., New York, New York, which reportedly contains both the described books in one volume.

According to information furnished by Detroit, these books are currently being distributed and sold throughout book stores, magazine stands, and drug stores in the Greater New York area. Bureau has no information that Department has previously furnished an opinion concerning the suitability of these books for prosecution under the ITSP statutes. Accordingly, the books enclosed with referenced Detroit letter were furnished to the Department for an opinion in this regard.

Investigation concerning the interstate transportation of these books should be held in abeyance pending receipt of the Department's opinion.

Deleted Copy Sent [illegible] MGT 145-3338-2
by Letter 6/3/65

2 - Chicago
2 - New York

JPO/cal
(6)

MAILED 19
JUN 3 1965
COMM-FBI

REC-109

SEE NOTE PAGE TWO

JUN 4 1965

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

JUN 1965

MAIL ROOM TELETYPE UNIT

Letter SAC, Detroit
Re: GREENLEAF PUBLISHING COMPANY

NOTE: These books are by Henry Miller, the highly controversial author whose most publicized work "Tropic of Cancer" which the Department stated was not suitable vehicle for Federal prosecution. The books referred to above also by Miller contain highly obscene passages; therefore, they have been furnished to the Department for an opinion by letter dated 6/1/64. Investigation concerning interstate aspects will be held in abeyance pending the Department's opinion.

145-3338-3

SAC, Detroit

145-3213-3

REC-28

Director, FBI

July 2, 1965

1 - [redacted]
1 - Mr. Brittain

b6
b7C

EX-107

4-1

THE GREENLEAF PUBLISHING COMPANY;
GROVE PRESS, INCORPORATED
ITOM

ReDElet dated 5/20/65, captioned "Henry Miller, Author of Books, Entitled The Rosy Crucifixion Sexus Book I and The Rosy Crucifixion Sexus Book II, Published by the Greenleaf Classic Publishing Company and The Rosy Crucifixion Sexus Book I and Book II in one Complete Volume, Published by the Grove Press, ITOM," and Bulet dated 6/3/65.

Enclosed herewith is a letter from the Department dated 6/29/65 in which the Department states that "The Rosy Crucifixion - Sexus" by Henry Miller is not a suitable vehicle for prosecutive action. It is noted that this opinion covers the editions by the Greenleaf Publishing Company and the single edition by Grove Press, Incorporated.

In view of the Department's opinion, no investigation should be conducted concerning the interstate transportation of these books.

The books submitted with referenced Detroit letter are being retained in the Laboratory.

Enclosure

1 - Chicago (information)
1 - New York (information)

JOK:pah
(7)

MAILED 8
JUL 2 1965
COMM-FBI

Deleted Copy Sent
by Letter
Per FOIA Request

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

Laboratory Transmittal Form
7-72

FBI
LABORATORY

1 - Mr. Brittain

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: FBI, Baltimore (145-New)

Date: March 25, 1969

Re: GROVE PRESS, INC.
NEW YORK
POSSIBLE ITOM

J. Edgar Hoover

John Edgar Hoover, Director

FBI File No. 145-4291-1 REC 138
Lab. No. D-690312031 AV

Examination requested by: Baltimore

Reference: Letter 3-10-69 EX-104

Examination requested: Document

Remarks:

For your information, Grove Press, Inc., New York, New York, was the publisher of such books "Tropic of Cancer" by Henry Miller, "Lady Chatterley's Lover" by D. H. Lawrence and "The Rosy Crucifixion - Sexus" by Henry Miller and as such became involved in an investigation relative to the interstate transportation of these books. These investigations were conducted in the latter part of the 1950's and the early part of the 1960's.

CWB

Enclosures (3) (Q1, 2 Lab rpt)

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

~~CWB~~:NOB (4)

MAILED 23
MAR 25 1969
COMM-FBI

Deleted Copy Sent [illegible]
by Letter [illegible]
Per FOIA Request

APR 1 1969

MAIL ROOM TELETYPE UNIT

ADMINISTRATIVE PAGE

b6
b7C

REPORT
of the

FBI LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: FBI, Baltimore

Re: GROVE PRESS, INC.
NEW YORK
POSSIBLE ITOM

Date: March 25, 1969
FBI File No. 145-4291
Lab. No. D-690312031 AV

Specimens received 3-11-69

One paperback book further described as follows:

SPECIMEN	TITLE	AUTHOR	PUBLISHER
Q1	I Am Curious (Yellow)	---	Grove Press Inc.

Result of examination:

No record was found to indicate that additional copies of the book referred to above as specimen Q1 have been received previously in the Laboratory.

Specimen Q1 is returned herewith.

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

CWB:NOB (4)

MAIL ROOM ☐ TELETYPE UNIT ☐

Recorded
3-14-69
NOB

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

NO LAB FILE

Re: GROVE PRESS, INC.
NEW YORK
POSSIBLE ITOM

File # 145-4279-1
Lab. # D-690312031 AV

L 3-10-69

Examination requested by: Baltimore (145-new)

Examination requested: Document

Date received: 3-11-69 cwp

Result of Examination:

Examination by: Brittain 3/11/69

1. N.I. Q1 in OF.
2. Return Q1
3 Grove Press, Inc., New York, New York was under investigation in the late 50's & early 60's in connection with publishing books such as "Tropic of Cancer" by Henry Miller, "Lady Chatterley's Lover" by D.H. Lawrence & "The Story of O" by Pauline Reage & "Sexus" by Henry Miller

Specimens submitted for examination

One paperback book further described as follows:

SPECIMEN	TITLE	AUTHOR	PUBLISHER
NI Q1	I Am Curious (Yellow)	---	Grove Press Inc.

(References:
145-2382
145-2479
145-1731
140-3338
145-2426

3-25-69
cwb: mrk

0-1 to Bu
#4 envs
ckm - mjs
6-10-69

b6
b7C

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
(ATTN: FBI LABORATORY)

DATE: 3/10/69

FROM : SAC, BALTIMORE (145-new)

SUBJECT: GROVE PRESS, INC.
NEW YORK
POSSIBLE ITOM

[redacted]

b6
b7C

Enclosed for the Bureau is one copy of paperback book entitled "I Am Curious (Yellow)", an Evergreen Black Cat Book published by captioned firm. The enclosure, marked obscene, was made available by Sheriff FRANCIS GARNER (NA), CHarles County Sheriff's Office, LaPlata, Maryland, who advises that the book is available on at least two newsstands in Charles County.

The Laboratory is requested to review the enclosed with regard to its character as an obscene exhibit and advise Baltimore as to whether or not captioned firm is currently the subject of any other ITOM investigation.

The Laboratory is requested to return the enclosure upon conclusion of examination so that it may be returned to contributor.

Deleted Copy Sent
by Letter
Per FOIA Request

EX 106 REC-10 MCT38

145-4291-1

25 MAR 14 1969

2 - Bureau (Encl. 1)(REGISTERED MAIL)
2 - Baltimore
JKT/bss
(4)

[redacted]

b6
b7C

5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1352849-0

Total Deleted Page(s) = 2
Page 7 ~ Referral/Direct;
Page 8 ~ Referral/Direct;

XXXXXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXXXXX

Assistant Attorney General
Criminal Division

Acting Director, FBI

September 8, 1972

1 - [redacted] b6 b7C
1 - Mr. Conrad

CHINA 1948 FILM DIVISION
53 EAST 11TH STREET
New York, New York
INFORMATION CONCERNING
CRIMINAL MATTER

This will confirm the conversation between Departmental Attorney [redacted] Criminal Division, and Special Agent [redacted] of this Bureau on September 5 and 7, 1972. b6 b7C

[redacted]

Referral/Direct

I have instructed our New York office to institute an investigation as requested by [redacted] and the results will be furnished to you.

Deleted Copy Sent
by Letter
Per FOIA Request

2 - New York (Enclosure)

MAILED 8
SEP 8 - 1972
FBI

REC-71

MCT-29

SEE NOTE NEW YORK OFFICE PAGE TWO...

18 SEP 11 1972

EX-116

WJB:nem
(7)

ENCLOSURE

SEE NOTE PAGE TWO...

57 SEP 15 1972

Felt
Baker
Bates
Bishop
Callahan
Cleveland
Conrad
Dalbey
Jenkins
Marshall
Miller, E.S.
Ponder
Soyars
Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Ms. Herwig
Mrs. Neenan

MAIL ROOM ☑ TELETYPE UNIT ☐

Assistant Attorney General
Criminal Division

NOTE NEW YORK OFFICE:

Enclosed is a Xerox copy of the aforementioned film catalog consisting of 12 pages allegedly by captioned firm. Institute investigation to determine if captioned firm is in violation of any Federal law within the jurisdiction of the FBI and advise the Bureau of any pertinent developments.

NOTE:

b6
b7C

This concerns an Interstate Transportation of Obscene Matter (ITOM) case wherein on 9/5/72 [redacted] Departmental Attorney, Criminal Division, furnished SA [redacted]

[redacted]

He was advised this matter has been reviewed and will be forwarded to our New York Office for investigation.

Referral/Direct

FD-36 (Rev. 5-22-64)

F B I

Date: 11/27/72

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: ACTING DIRECTOR, FBI

FROM: SAC, NEW YORK (145-3294) (RUC)

SUBJECT: GROVE PRESS FILM DIVISION
53 E. 11TH STREET,
NEW YORK, NY
ITOM

ReBulet to Assistant Attorney General, Referral/Direct Criminal Division, dated 9/8/72.

On 9/20/72.

On 10/18/72.

(2) - Bureau
1 - New York

JJJ:rvk
(4)

3 NOV 30 1972

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 346-090 (11)

The following informants who are familiar with ITOM matters were contacted and all advised that Grove Press did business as a mail order firm:

[redacted] b7D

On 11/8/72, AUSA [redacted], SDNY, was shown a copy of the film catalog from Grove Press which was enclosed with referenced Bureau letter. [redacted] stated that the material was sexually oriented but felt that this material would not fall within the obscenity statute. [redacted] also added that he would decline prosecution under ITOM statute since there was no indication that any material had been transported other than through the US Mail. b6 b7C

UACB, New York conducting no further investigation.

UNITED STATES GOVERNMENT

memorandum

DATE: 7/7/77

REPLY TO ATTN OF: SAC, MIAMI (145-1436) (RUC)

SUBJECT: GROVE PRESS, INC.
53 East 11th Street
New York, New York
ITOM
(OO: NEW YORK)

FILMS, INCORPORATED
733 Greenbay Road (Rear)
Wilmette, Illinois
ITOM
(OO: CHICAGO)

TO: DIRECTOR, FBI
ATTENTION: FBI LABORATORY

Submitted to the attention of the FBI Laboratory, by separate package labeled OBSCENE, are the following two 400 foot reels of 16mm black and white motion picture films, without sound: "Smart Aleck" (featuring CANDY BARR), and "Getting His Goat."

Enclosed for Chicago and New York is one Xerox copy each of five related work sheets dated in February, 1977, of Reela Film Laboratories, 65 N.W. 3rd Street, Miami (part of Wometco Enterprises, Inc., Miami). In past years, Reela has processed at least some obscene films, but is not known to have been particularly active in that regard since about April, 1974.

The above-identified two very old obscene films were received through the U. S. Mails on June 16, 1977, in a package addressed to SA WILLIAM P. KELLY, and postmarked June 14, 1977, at Miami. The person who sent the films to SA KELLY is anonymous, but is obviously a Wometco (Reela) employee, possibly one [redacted] (LNU). [redacted] is not known to SA KELLY.

(4) - Bureau
(1 - Package Copy) (RM)
2 - Chicago (Enc. 5) (RM)
2 - New York (Enc. 5) (RM)
1 - Miami
WPK/bgj
(9)

2 JUL 15 1977

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

OPTIONAL FORM NO. 10
(REV. 7-76)
GSA FPMR (41 CFR) 101-11.6
5010-112

New York will note that one [redacted] of Grove Press, Inc., is credited on one of the enclosures with making a telephone order for processing submitted obscene specimens by Reela. b6 b7C

REQUEST OF THE BUREAU:

The FBI Laboratory is requested to examine the submitted obscene films, comparing them with previous submissions. Chicago, New York and Miami should be advised of results.

Thereafter, the FBI Laboratory should maintain the two films until advised by either Chicago or New York as to the desired ultimate disposition thereof.

LEADS

CHICAGO

At Wilmette, Illinois

Will identify the operators of Films, Incorporated, 733 Greenbay Road (Rear).

Determine if Films, Incorporated is actively engaged in interstate ITOM film activities.

Advise Laboratory as to ultimate disposition of submitted two obscene specimens.

NEW YORK

At New York, New York

Will conduct appropriate ITOM investigation re Grove Press, Inc., and [redacted] b6 b7C

FD-36 (Rev. 7-27-76)

FBI

TRANSMIT VIA:
- ☐ Teletype
- ☐ Facsimile
- ☒ Airtel

PRECEDENCE:
- ☐ Immediate
- ☐ Priority
- ☐ Routine

CLASSIFICATION:
- ☐ TOP SECRET
- ☐ SECRET
- ☐ CONFIDENTIAL
- ☐ E F T O
- ☐ CLEAR

Date 7/26/77

TO: DIRECTOR, FBI
(ATT: FBI LABORATORY)

FROM: ADIC, NEW YORK (145-3859)(C)(#20)

SUBJECT: GROVE PRESS, INC.
53 EAST 11 STREET
NEW YORK, NEW YORK
ITOM
(OO:NY)

FILMS, INCORPORATED
733 GREENBAY ROAD (REAR)
WILMETTE, ILLINOIS
ITOM
(OO:CG)

ReMMlet to the Bureau, 7/7/77.

b6
b7C

Regarding Grove Press, Inc., New York Indices make reference to NY file 145-3294, review of which indicates an ITOM investigation was instituted at the request of Departmental Attorney [redacted] during 9/72. A 12 page film catalog of Grove Press appeared to advertise "hard core pornography" films and an investigation was conducted to determine if Grove Press was in violation of any federal statute with regard to the distribution of the films.

145-3811-2

REC-26

SI-126

4 JUL 27 1977

b6
b7C

(3) - Bureau cc detached Rochna
(Att: FBI Laboratory)
2 - Chicago
2 - Miami (145-1436)
1 - New York

JHG:mlh
(8)

Approved: _____ Transmitted _____ Per _____
(Number) (Time)

70 AUG 8 1977

145-3811-2 ENCLOSURE

Subsequent investigation determined the films advertised in the above catalog were sexually oriented; however, produced and sold for study by educators and recognized educational institutions. Referral/Direct

[redacted]

With regard to the above investigation Bureau refer to NY letter to the Bureau dated 11/27/72, captioned "GROVE PRESS FILM DIVISION, 53 EAST 11 STREET, NEW YORK, NEW YORK, ITOM, OO:NY".

New York Indices fail to reflect any information identifiable with [redacted] b6 b7C

It should be noted that films "Smart Aleck" and "Getting His Goat" mentioned in referenced Miami letter and submitted to the FBI Laboratory are included in the above mentioned Grove Press Film Catalog. Referral/Direct

[redacted]

In view of the above, no further investigation is being conducted by the NYO regarding this matter.

LEAD

CHICAGO

AT WILMETTE, ILLINOIS. Advise Laboratory as to disposition of two specimens submitted by Miami.

Laboratory Transmittal Form
7-72

1 - [redacted]

b6
b7C

FBI
LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: SAC, Miami (145-1436)

November 1, 1977

From: Director, FBI

FBI FILE NO. 145-5811

LAB. NO. D-770712004 MS

Re: GROVE PRESS, INC.
53 East 11th Street
New York, New York
ITOM
OO: New York

FILMS INCORPORATED
733 Greenbay Road (Rear)
Wilmette, Illinois
ITOM
OO: Chicago

Examination requested by: Miami

Reference: Letter 7/7/77

Examination requested: Document

Remarks:

DO NOT INCLUDE ADMINIST[illegible] PAGE(S) INFORMATION IN INVESTIGATIVE REPORT

Q1 and Q2 will be retained in the Laboratory until advised of the desired disposition.

For your investigative assistance, Q1 and Q2 appear to be new prints (copies) of very old pornographic motion picture films which have been copied and recopied for more than twenty years, dozens of different copies of each having been submitted to the Laboratory in the past.

REC-3 145-5811-3

EX-108

14 NOV 3 1977

Enclosures (2) (2 Lab report)

2 - Chicago Enclosures (2) (2 Lab report)
2 - New York Enclosures (2) (2 Lab report)

MAILED 17
NOV 1 1977
FBI

JEL:slg* slg (8)

1 XEROX
NOV 8 1977

b6
b7C

[redacted]

ADMINISTRATIVE PAGE

MAIL ROOM ✓ TELETYPE UNIT

FBI/DO[illegible]

UNRECORDED COPY FILED IN 145-5811

7-1b

REPORT
of the

FBI LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: SAC, Miami (145-1436) November 1, 1977

GROVE PRESS, INC.
53 East 11th Street
New York, New York
ITOM

FBI FILE NO. 145-5811—3

LAB. NO. D-770712004 MS

Re:

FILMS, INCORPORATED
733 Greenbay Road (Rear)
Wilmette, Illinois
ITOM

Specimens received 7/11/77

Two reels of 16mm motion picture film further described as follows:

SPECIMEN	TITLE	MARKING ON LEADER
Q1	Getting His Goat	Grove Press - Getting His Goat
Q2	Smart Aleck	Smart Aleck

Result of examination:

Numerous copies of the Q1 motion picture film, in both 8mm and 16mm versions, have been received in the Laboratory since April , 1946, when the first copy was received, and of the Q2 motion picture film since January, 1954. However, no additional copies of those films have been received which bear the markings found on the leaders of Q1 and Q2. The source of the original version of the Q2 motion picture film is well known to the Dallas Office.

Q1 and Q2 are retained.

7-2

OCT 25

RECORDED 7/15/77 slg

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NO LAB FILE

Laboratory Work Sheet

To: SAC, Miami (145-1436)

Re: GROVE PRESS, INC.
53 East 11th Street
New York, New York
ITOM
00: New York

FILMS, INCORPORATED
733 Greenbay Road (Rear)
Wilmette, Illinois
ITOM
00: Chicago

FBI FILE NO. 145-5811-3

LAB. NO. D-770712004 MS

YOUR NO.

Examination by: [redacted] JG 10/25/77

b6
b7C

Examination requested by: Miami

Reference: Letter 7/7/77

Examination requested: Document

Specimens received: 7/11/77

Two reels of 16mm motion picutre film further described as follows:

SPECIMEN	TITLE	MARKING ON LEADER
ID 4/46 Q1 71-2015-Rel 7; 11 other titles	Getting His Goat	Grove Press - Getting His Goat
* ID 1/54 Q2 145-19-214 many other titles	Smart Aleck	Smart Aleck

- Num. copies of the Q1 m-p film have been rec'd in the Lab since 4/46, (in both 8mm & 16mm versions) when the first copy was rec'd, and of the Q2 m-p film since 1/54. However, no add'l copies of those films have been rec'd which bear the markings found on the leaders of Q1 & Q2. The source of the original version of the Q2 m-p film is well known to the Dallas Office.
- Retained
- Q1 & Q2 ret'd in Lab until advised of desired disps.
- Invest. assist. Q1 & Q2 appear to be new prints (copies) of very old porno films which have been copied & re-copied for more than 20 years, w/ dozens of diff copies of each having been sub to Lab.

2-CG
2-NY
* info card

FBI/DOJ

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
(ATTN: FBI LABORATORY)

DATE: 11/11/77

FROM SAC, CHICAGO (145-1135)(C)

SUBJECT: GROVE PRESS, INC.,
53 EAST 11TH STREET,
NEW YORK, NEW YORK
ITOM
(OO: NEW YORK)

FILMS, INCORPORATED,
733 GREEN BAY ROAD (REAR),
WILMETTE, ILLINOIS
ITOM
(OO: CHICAGO)

Re New York airtel to Director dated 7/26/77.

The Laboratory should dispose of the two obscene films by whatever measure deemed appropriate in view of the fact that investigation at Chicago has failed to indicate that Films, Incorporated is actively engaged in ITOM activities.

[redacted]

b6 FBI
b7C

UNRECORDED COPY FILED IN

REC-33

3 - Bureau
1 - Miami (145-1436)(Info)
1 - New York (145-3859)(Info)
1 - Chicago
CBK/smh
(6)

Referral/Direct

5010-108-02

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan